

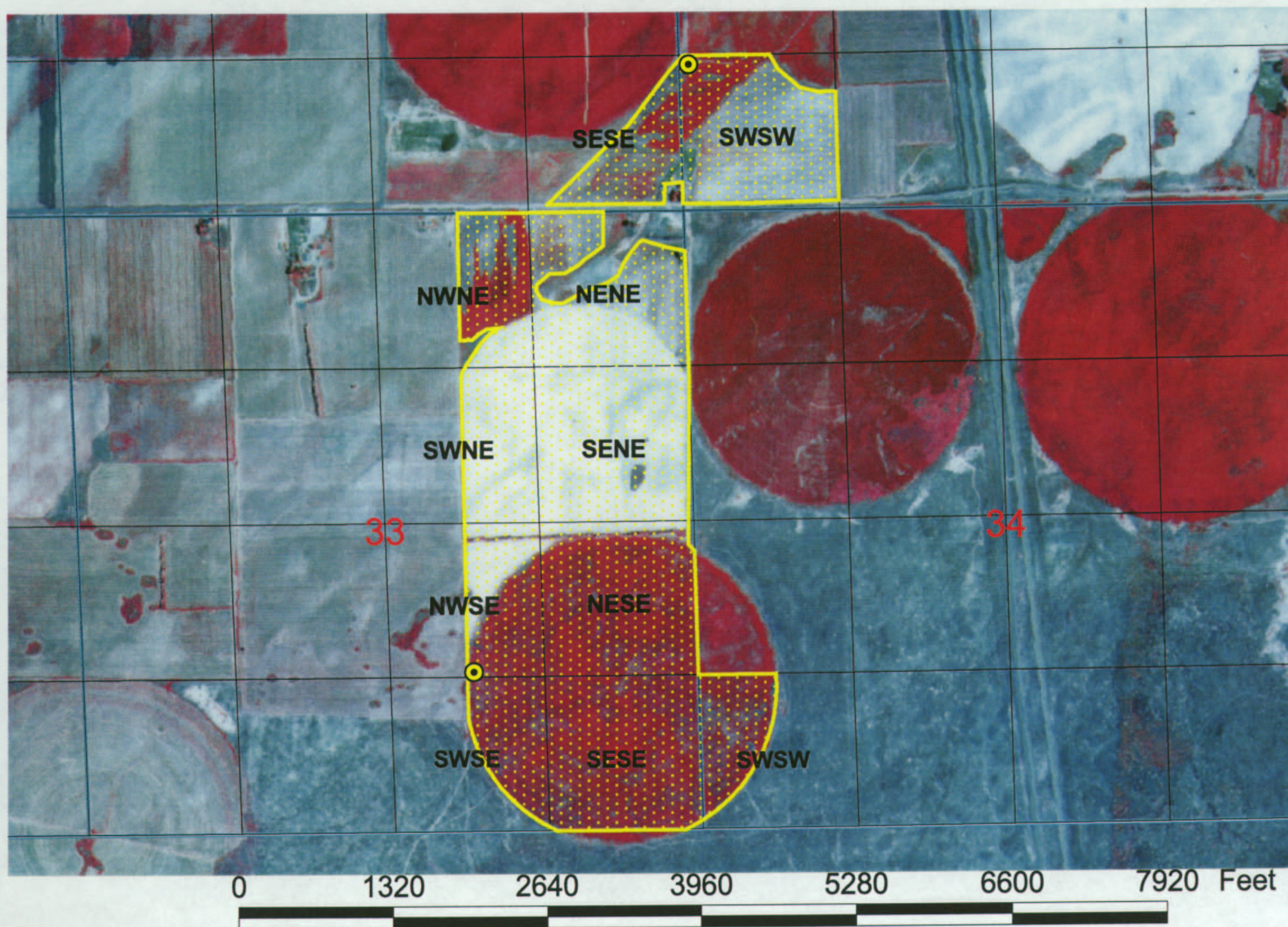


STATE OF IDAHO

Department of Water Resources

Water Right(s): 31-62A
31-63A

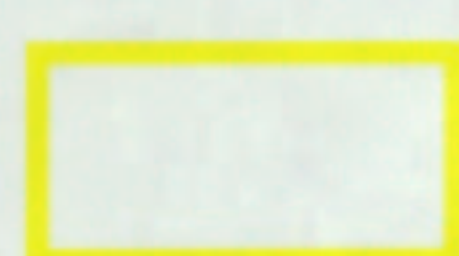
T07N R36E



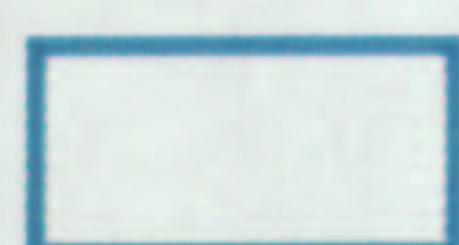
LEGEND



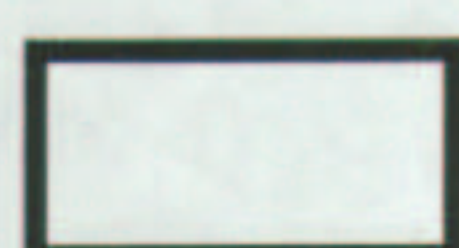
Point of Diversion



Place of Use



Section Line

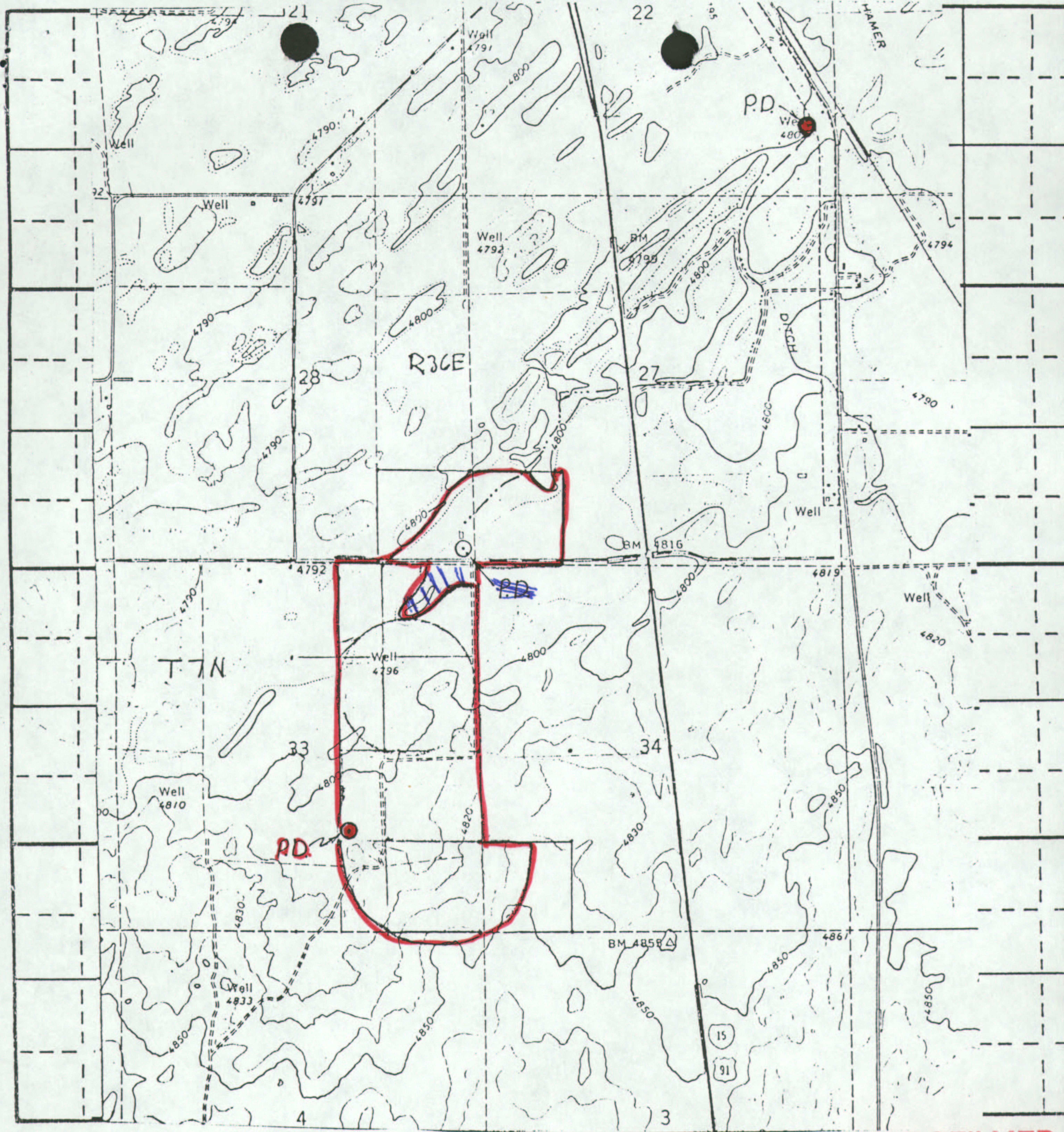


Quarter-section line

Irrigated Acres = 285



GIS Place of Use illustration
1987/1988 NAPP photography
Prepared by: E. Carlsen
Date: October 2001



SCALE: 2 inches equal 1 mile. Draw plan in ink.

A31-00063A

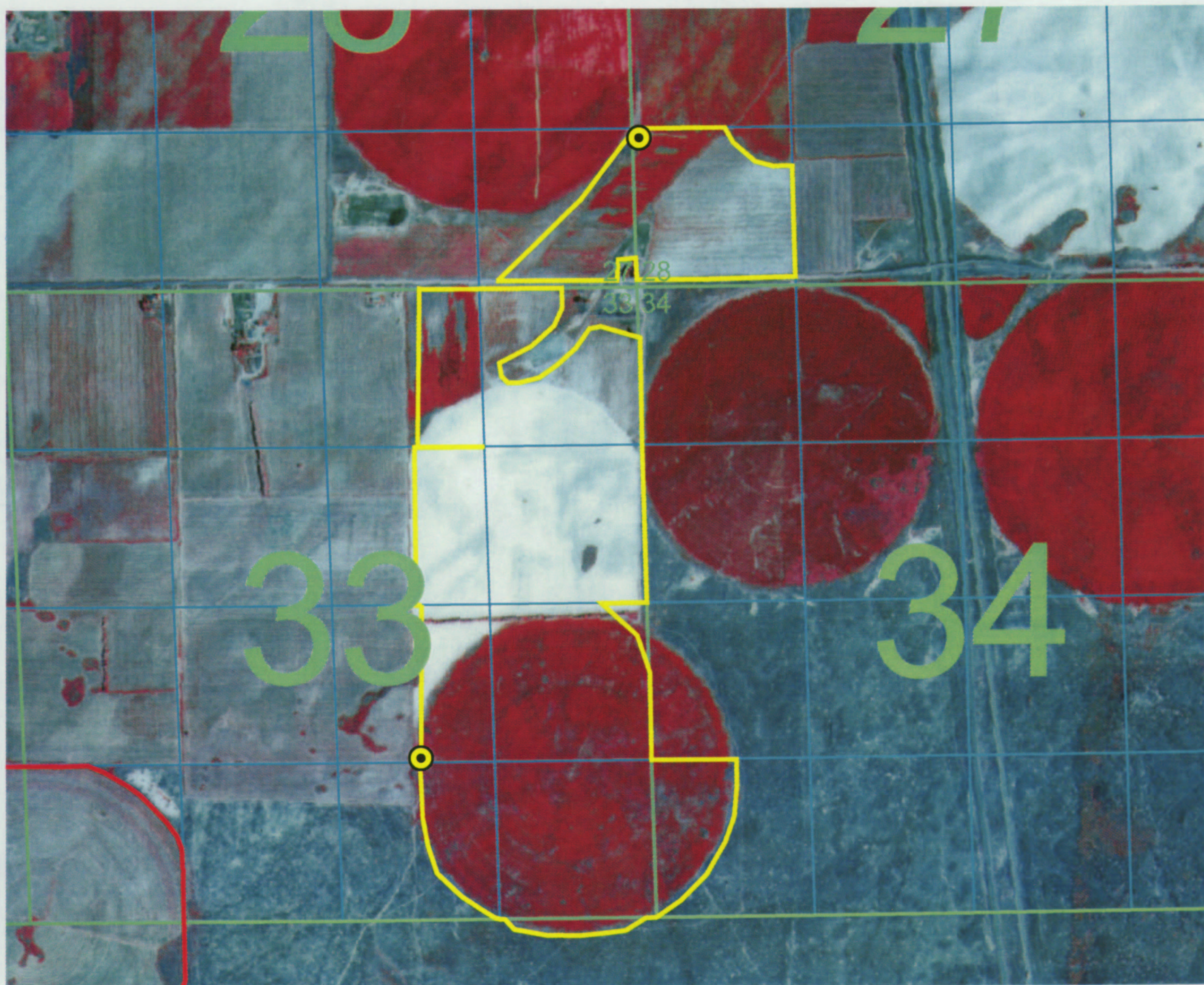
MICROFILMED

NOV 17 1992

IDAHO DEPARTMENT OF WATER RESOURCES

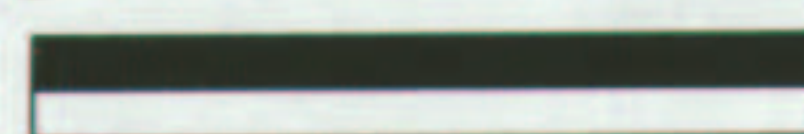
Water Right 31-00062A, 31-00063A,
31-07270

Township 6N Range 36E Section 4
Township 7N Range 35E Section 27, 38, 33, 34



- Point of Diversion - This Water Right
- Point of Diversion - Other Water Rights
- Place of Use - This WR
- Place of Use - Other WR
- Sections
- Quarter-quarter Sections

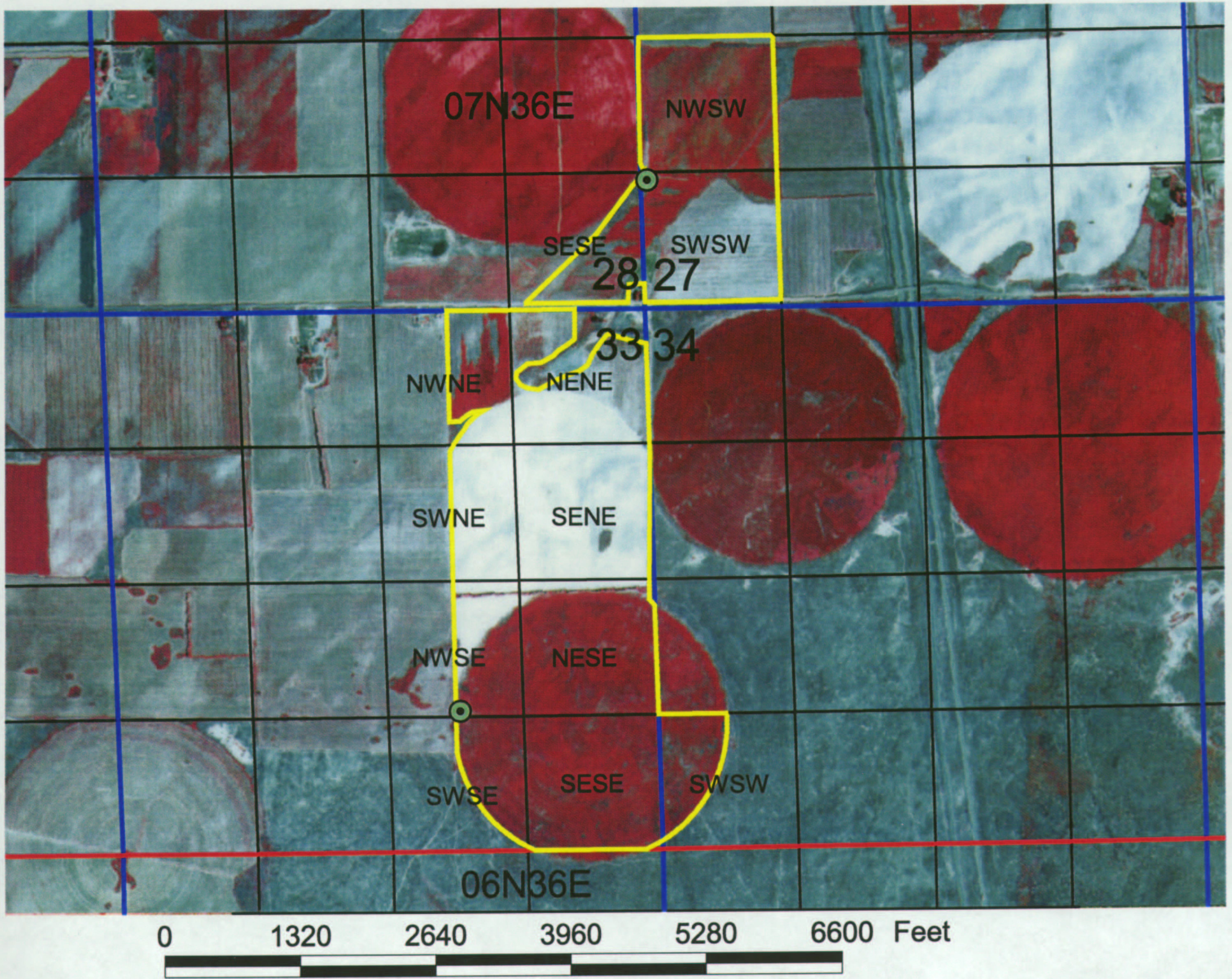
0 1320 Feet





Department of Water Resources

Claim No.: 31-62A, 31-63A
31-11605



Irrigated Acres = 328

- Well.shp
- Water rights.shp
- Townships
- Sections
- QQ

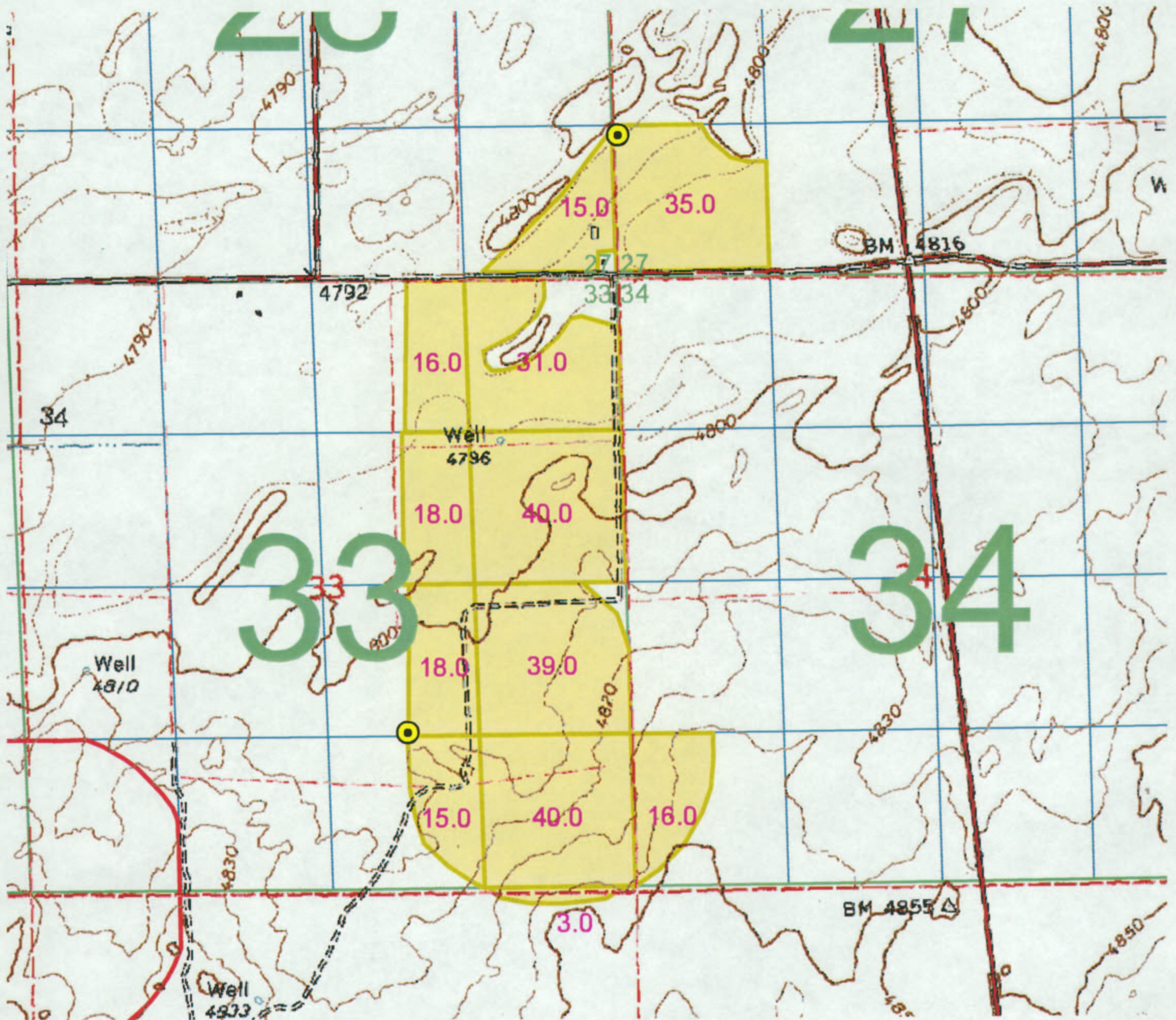


GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepare by: E. Carlsen
Date: February 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062A, 31-00063A,
31-07270

Township 6N Range 36E Section 4
Township 7N Range 35E Section 27, 38, 33, 34



0 1320 Feet

- Point of Diversion - This Water Right
- Point of Diversion - Other Water Rights
- Place of Use - This WR
- Place of Use - Other WR
- Sections
- Quarter-quarter Sections



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 31-00063A

APR 24 31 PM 10:30
DISTRICT COURT - 308A
TWIN FALLS, IDAHO
FILED

NAME AND ADDRESS: LOREN MCGARRY RANCHES
HC 69 BOX 1070
HAMER, ID 83425

SOURCE: GROUND WATER

QUANTITY: 1.67 CPS
294.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 5.70 CPS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1044.7 AF. COMBINED RIGHT NOS.: 31-62A,
31-63A, 31-7270, 31-11605 AND 31-11619.

PRIORITY DATE: 05/01/1928

POINT OF DIVERSION: T07N R36E S27 NWSWS Within Jefferson County
S33 SENWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 09-01	1.67 CPS 294.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE MAY 1 AND AFTER SEPTEMBER 1 UNDER THIS REMARK IS
SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR
LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A
PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:	Irrigation	Within Jefferson County
	T07N R36E S27	NWSW 40.0 SWSW 38.0
	S28	SESE 15.0
	S33	NENE 31.0 NWNE 18.0
		SWNE 19.0 SENE 39.0
		NESE 40.0 NWSE 20.0
		SWSE 15.0 SESE 40.0
	S34	SWSW 13.0
	328.0 Acres Total	

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 339 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 31-62A, 31-63A, 31-7270, 31-11605 AND
31-11619.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 84 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 328 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 31-00062A, 31-00063A AND 31-11605.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2002 JUL 31 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 31-00063A

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 31-00063A was mailed
on July 31, 2002, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

IDAHO DEPARTMENT OF LANDS
Represented by:
STEVEN J. SCHUSTER
PO BOX 83720
BOISE, ID 83720-0010
Phone: 208-332-3542

LOREN MCGARRY RANCHES
HC 69 BOX 1070
HAMER, ID 83425
Phone: 208-662-5227

ROBBIN GLATZ
Chief Deputy Clerk

RECEIVED
JUL 31 2002
TWIN FALLS COUNTY

2002 JUL 31 PM 12:19
DISTRICT COURT-SRBA
TWIN FALLS COUNTY
FILED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576) ORDER OF PARTIAL DECREE
)
) For Water Right 31-00063A
)

On May 29, 2002, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 31-00063A is hereby decreed as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED July 31, 2002



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

02/13/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-63A
NAME AND ADDRESS: LOREN MCGARRY RANCHES
HC 69 BOX 1070
HAMER ID 83425

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 1.670 CFS
294.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.70 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1044.7 AF. COMBINED RIGHT NOS.: 31-62A, 31-63A, 31-7270, 31-11605 AND 31-11619.

~~USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.70 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 881.5 AF. COMBINED RIGHT NOS.: 31-62A, 31-63A AND 31-7270.~~

PRIORITY DATE: 05/01/1928

POINT OF
DIVERSION:

T07N R36E S27 NWSWSW Within JEFFERSON County
T07N R36E S33 SENWSE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	5/01 9/01	1.670 CFS 294.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MAY 1 AND AFTER SEPTEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within JEFFERSON County

T07N R36E S27	NWSW	40.0	T07N R36E S27	SWSW	38.0
T07N R36E S28	SESE	15.0	T07N R36E S33	NENE	31.0
T07N R36E S33	NWNE	18.0	T07N R36E S33	SWNE	19.0
T07N R36E S33	SENE	39.0	T07N R36E S33	NESE	40.0
T07N R36E S33	NWSE	20.0	T07N R36E S33	SWSE	15.0
T07N R36E S33	SESE	40.0	T07N R36E S34	SWSW	13.0
~~T06N R36E S04~~	~~NENE~~	~~3.0~~			

~~285~~ 328 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF ~~339~~ 339.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-62A, 31-63A, 31-7270, 31-11605 AND 31-11619.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF ~~285~~ 328 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-62A, 31-63A AND ~~31-11605~~ 31-7270.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 84 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

02/13/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

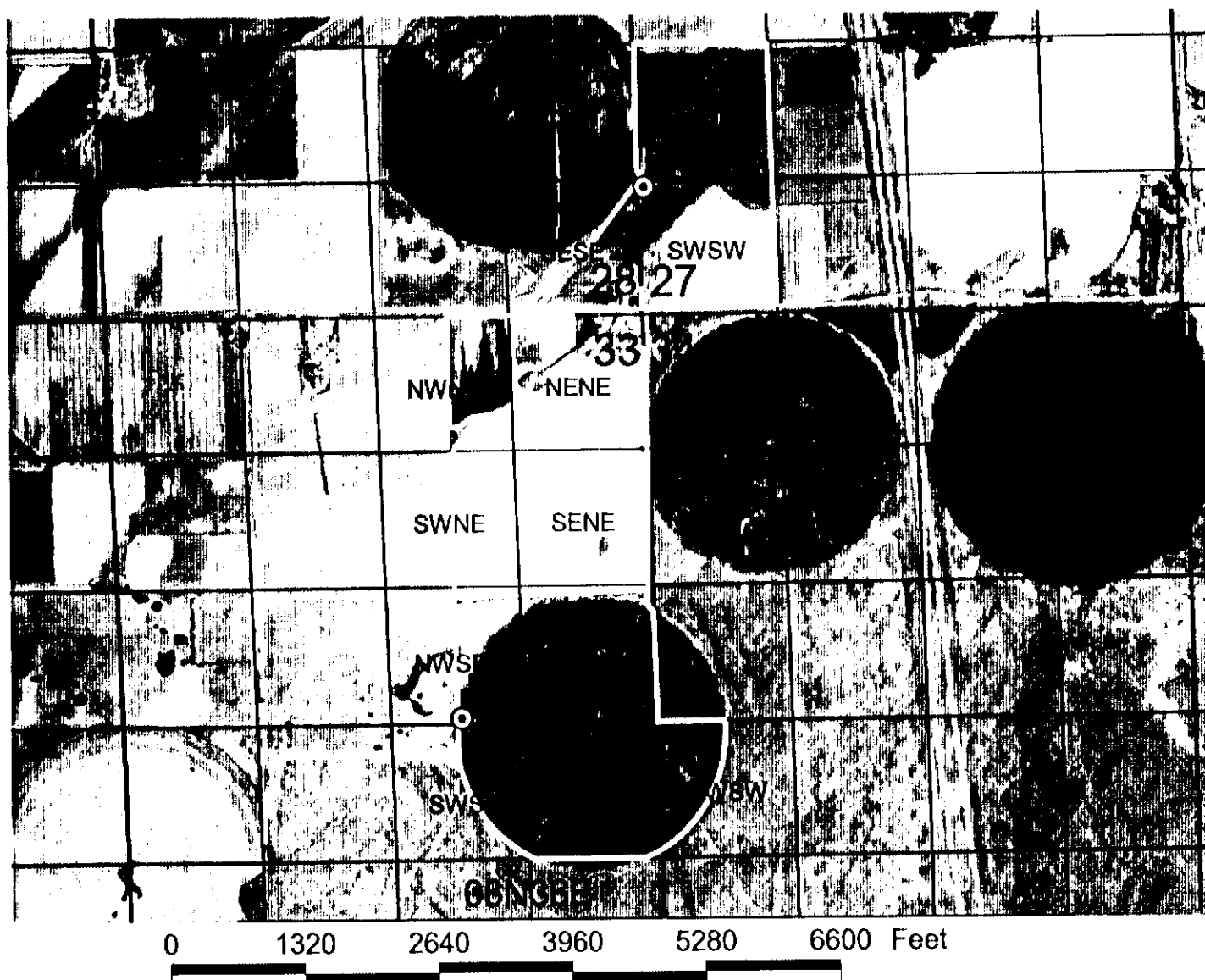
RIGHT NO. 31-11605 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

~~THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE IN SECTION 27: 31-00062A, 31-00063A, 31-00062P, 31-00063P, 31-11605. THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE IN SECTION 33: 31-00062A, 31-00063A, 31-07270, AND 31-11619.~~



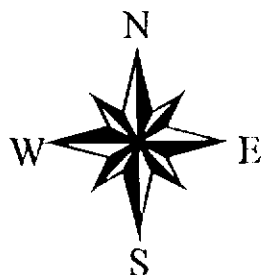
Department of Water Resources

Claim No.: 31-62A, 31-63A
31-11605



Irrigated Acres = 328

- ⊙ Well.shp
- Water rights.shp
- Townships
- Sections
- QQ

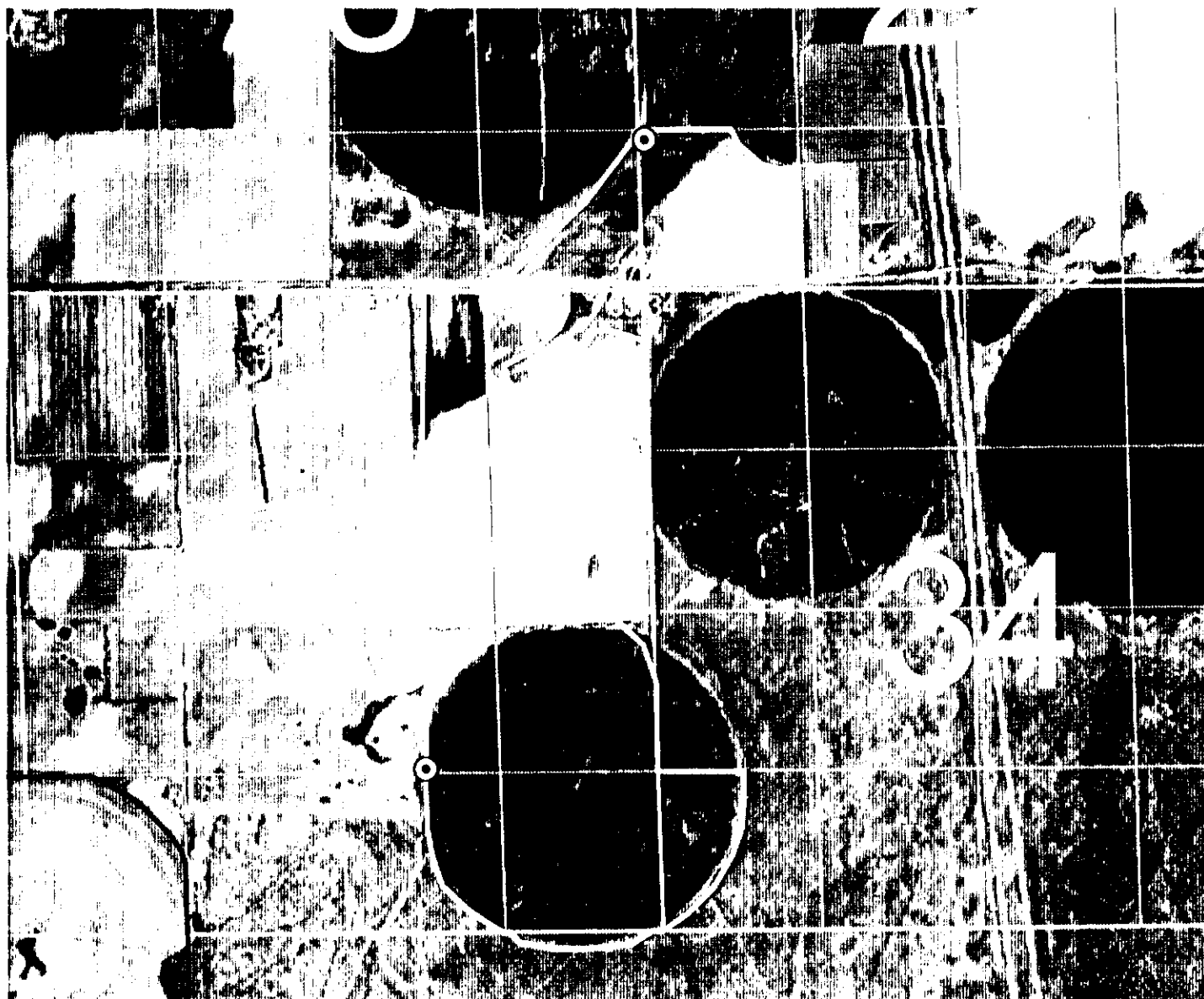


GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepare by: E. Carlsen
Date: February 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062A, 31-00063A,
31-07270

Township 6N Range 36E Section 4
Township 7N Range 35E Section 27, 38, 33, 34



0 1320 Feet

- ⊙ Point of Diversion - This Water Right
- Point of Diversion - Other Water Rights
- Place of Use - This WR
- Place of Use - Other WR
- | Sections
- | Quarter-quarter Sections



IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

01/04/2001

RIGHT NUMBER: 31-63A

NAME AND ADDRESS: LOREN MCGARRY RANCHES
HC 69 BOX 1070
HAMER, ID 83425

SOURCE: GROUND WATER

QUANTITY: 1.67 CFS
294 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 5.70 CFS. COMBINED RIGHT NOS.: 31-
62A, 31-63A, 31-11605.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 5.70 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 881.5 AF. COMBINED RIGHT NOS.: 31-
00062A, 31-00063A, 31-07270

PRIORITY DATE: 05/01/1928

POINT OF DIVERSION: T07N R36E S27 NWSWSW Within JEFFERSON County
T07N R36E S33 SENWSE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	5-01 9-01	1.67 CFS 294.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN
AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE
USE OF WATER BEFORE MAY 1 AND AFTER SEPTEMBER 1 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO
SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE
EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS
RIGHT

PLACE OF USE:

IRRIGATION Within JEFFERSON
County

T06N R36E S4	NENE	3	T07N R36E S27	SWSW	35
T07N R36E S28	SESE	15	T07N R36E S33	NENE	31
T07N R36E S33	NWNE	16	T07N R36E S33	SWNE	18
T07N R36E S33	SENE	40	T07N R36E S33	NESE	38
T07N R36E S33	NWSE	18	T07N R36E S33	SWSE	15
T07N R36E S33	SESE	40	T07N R36E S34	SWSW	16

285 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 84 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 285 ACRES IN A SINGLE

IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-00062A, 31-00063A,
31-07270

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT NO. 31-11605 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT
TO SECTION 42-1426, IDAHO CODE.

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF
DIVERSION 'NORTH WELL' DIVERSION DESCRIBED ABOVE IN SECTION
27: 31-00062A, 31-00063A, 31-00062P, 31-00063P, 31-11605 *PAC*

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF
DIVERSION 'SOUTH WELL' DESCRIBED ABOVE IN SECTION 33: 31-
00062A, 31-00063A, 31-07270

AJ0749NP
No. R31-00063A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 06/19/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LOREN MCGARRY RANCHES HC 69 BOX 1070 HAMER ID 83425 (208) 662-5227	05/01/1928	IRRIGATION	05-01 09-01	1.670 CFS	294.00 AFA
TOTAL DIVERSION:					1.670 CFS	294.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T07N R36E S27
S33

NWSWSW
SENWSE

JEFFERSON County
JEFFERSON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
06N	36E	4	:	03																:	3.0
07N	36E	27	:											35						:	35.0
07N	36E	28	:																15	:	15.0
07N	36E	33	:	31	16	18	40									38	18	15	40	:	216.0
07N	36E	34	:											16						:	16.0
TOTAL ACRES																				:	285.0

POU County: JEFFERSON

Non-Irrigation Uses: NONE

Other Rights: A31-00062A AND A31-07270A

Conditions of Approval:

- C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
- DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
- ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks: QNT

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 5.70 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 881.5 AF. COMBINED RIGHT
NOS.: 31-00062A, 31-00063A, 31-07270

USE

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE MAY 1 AND AFTER SEPTEMBER 1 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED
EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE
DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

AJ0749NP
No. R31-00063A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 06/19/00
PAGE: 2

Remarks: POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 84 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 285 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 31-00062A, 31-00063A, 31-07270.

EXP THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION
'NORTH WELL' DIVERSION DESCRIBED ABOVE IN SECTION 27:
31-00062A, 31-00063A, 31-00062P, 31-00063P.
THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION
'SOUTH WELL' DESCRIBED ABOVE IN SECTION 33: 31-00062A,
31-00063A, 31-07270.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 06/19/2000 User-ID: BCONTOR Subject: COPIED FROM REMARKS
THIS WAS NUMBERED 31-0063G UNDER TRANSF. 2984
TRANSFER 3808 APPROVED A CHANGE IN POINT OF DIVERSION.

Audit: 06/19/00 BCONTOR

AJ0743NP
(00-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

10/28/98 18:14:16
Page 1

Water Right Number - A31-00063A

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
LOREN MCGARRY RANCHES

1 - HC 69 BOX 1070
2 -
3 -
City- HAMER
Phone - 208-662-5227

State- ID Zip- 83425

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/01/1928 ERROR IN REGION J - BENEFICIAL USE

+ - - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
07N 36E 27 SW SW (51) JEFFERSON
33 NW SE (51) JEFFERSON

+ - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 1.670

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.670 712.5

+ - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
06N 36E 4 NE NE 3.0 01 IRRIGATION (51) JEFFERSON
07N 36E 27 SW SW 35.0 01 IRRIGATION (51) JEFFERSON
07N 36E 28 SE SE 15.0 01 IRRIGATION (51) JEFFERSON
07N 36E 33 NE NE 31.0 01 IRRIGATION (51) JEFFERSON
07N 36E 33 NW NE 16.0 01 IRRIGATION (51) JEFFERSON
07N 36E 33 SW NE 18.0 01 IRRIGATION (51) JEFFERSON
07N 36E 33 SE NE 40.0 01 IRRIGATION (51) JEFFERSON
07N 36E 33 NE SE 38.0 01 IRRIGATION (51) JEFFERSON
07N 36E 33 NW SE 18.0 01 IRRIGATION (51) JEFFERSON
07N 36E 33 SW SE 15.0 01 IRRIGATION (51) JEFFERSON
07N 36E 33 SE SE 40.0 01 IRRIGATION (51) JEFFERSON
07N 36E 34 SW SW 16.0 01 IRRIGATION (51) JEFFERSON

Total Acres: 285.0

+ - - Diversion Means - TWO WELLS TO SPRINKLER LINES

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - A31-00062A AND A31-07270A

AJ0743NP
(00-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

10/28/98 18:14:17
Page 2

Water right number - A31-00063A

Prefix Translation: ADJUDICATION CLAIM

+ - - - - Remarks - - - - - +

GEN THIS WAS NUMBERED 31-0063G UNDER TRANSF. 2984
TRANSFER 3808 APPROVED A CHANGE IN POINT OF DIVERSION.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +
No Comments Found

+ - - Audit Fields - - +
10/28/98 ECARLSEN

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 06/08/1988	Last Amended Date	- 08/11/1997	Temporary Right	- P
		Receipt Number	- M000075	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A31-00063A
Date Received: 6/08/1988
Receipt No: M000075
Received By: HLW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LOREN MCGARRY RANCHES 208-662-5227
Address: HC 69 BOX 1070
HAMER, ID 83425

2. Date of Priority: MAY 01, 1928

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07N	36E	22	SE	SE	SE		JEFFERSON
		33	NW	SE	SE		JEFFERSON

5. Description of diverting works:
TWO WELLS TO SPRINKLER LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.670		

7. Total Quantity Appropriated is:
1.670 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 712.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06N	36E	4	NE	NE		IRR	3.0
						Section Acres	3.0

A31-00063A

Page 1

Date: 06/08/88

MICROFILMED

NOV 1 / 1992



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	36E	27	SW	SW		IRR	35.0
						Section Acres	35.0
		28	SE	SE		IRR	15.0
						Section Acres	15.0
		33	NE	NE		IRR	31.0
			NW	NE		IRR	16.0
			SW	NE		IRR	18.0
			SE	NE		IRR	40.0
			NE	SE		IRR	38.0
			NW	SE		IRR	18.0
			SW	SE		IRR	15.0
			SE	SE		IRR	40.0
						Section Acres	216.0
		34	SW	SW		IRR	16.0
						Section Acres	16.0
						Total Acres	285.0

11. Place of use in counties: JEFFERSON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A31-00062A AND A31-07270A

14. Remarks:
THIS WAS NUMBERED 31-0063G UNDER TRANSF. 2984

15. Basis of Claim: BENEFICIAL USE
Water Right Number:

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Loren J. McLaughlin Date: 6-8-88

Date: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of

Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of

Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of Clark) SS.

Subscribed and sworn (or affirmed) before me this 8th day

of June 19 88

John Dale Carlson
Notary Public

Seal

Residing at Boise, Id.

My Commission Expires 6/2/94
Date: 06/08/88

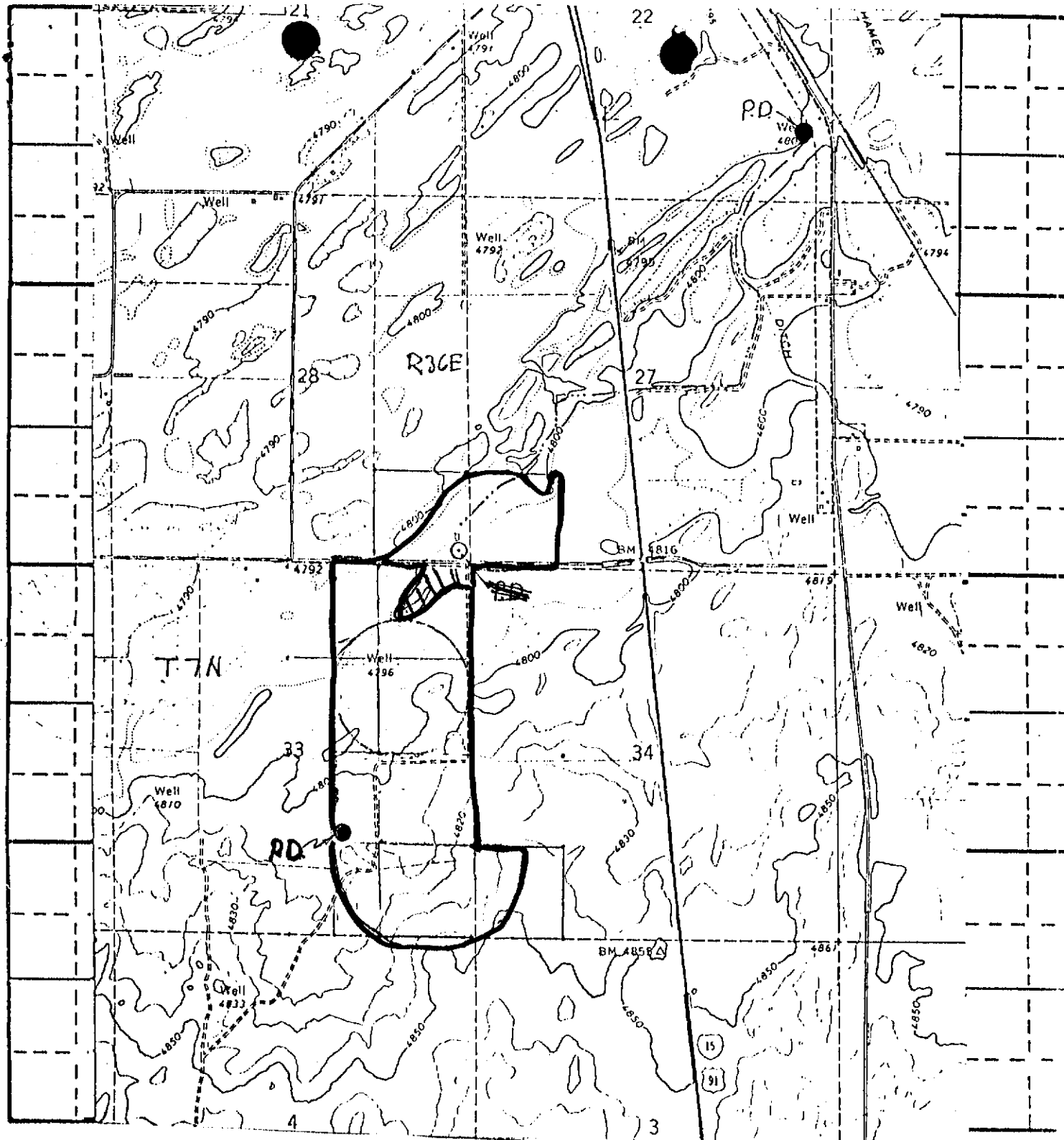
A31-00063A

Page

3

MICROFILMED

NOV 17 1992



SCALE: 2 inches equal 1 mile. Draw plan in ink.

A31-00063A

MICROFILMED

NOV 17 1992

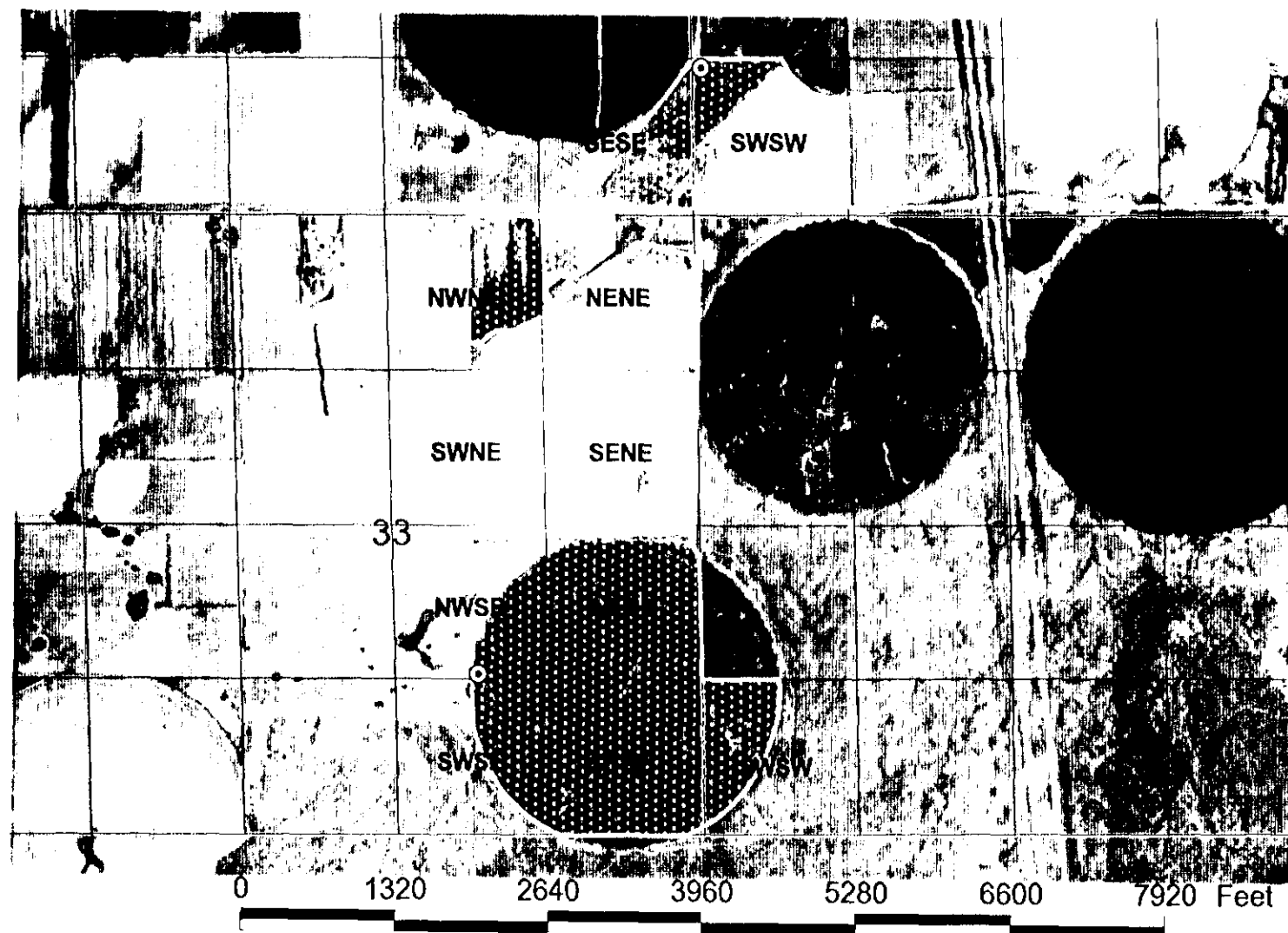


STATE OF IDAHO

Department of Water Resources

Water Right(s): 31-62A
31-63A

T07N R36E



LEGEND



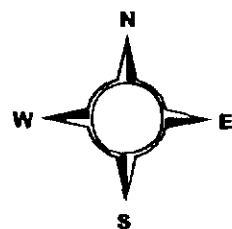
Point of Diversion

Place of Use

Section Line

Quarter-section line

Irrigated Acres: 285



GIS Place of Use illustration
1987/1988 NAPP photography
Prepared by: E. Carlsen
Date: October 2001



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:45:51
03/13/95

PAGES: 1
GENERAL INFORMATION

CLAIM NUMBER: A31-00063A

LAST: LOREN MCGARRY RANCHES
ADDRESS: MC 69 BOX 1070
CITY: NAMER
PHONE NUMBER: 208-662-5227

FIRST:
STATE: ID ZIP: 83425

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE
Y

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: THIS WAS NUMBERED 31-00636 UNDER TRANSF. 2904

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: () - -

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y() N()

TIME: __: __ A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

Desktop Review 6/19/00 Relies on post-87
transfer 3808, Namer GDS, investigation of
CNR A31-00063A

A. AJ CLAIM: # A31-00063A PRIORITY DATE: 05-01-1928 STAGE: J
B. NR RECORD: # 31-00063A PRIORITY DATE: - - STAGE:

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
11

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(✓)
IF YES EXPLAIN.

NOTES:

Priority per decree

RECOMMENDED PRIORITY DATE:

5-1-1928

REVIEWED BY

Bac

DATE

6/19/00

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A31-00063A	07N	36E	22		SE	SE		JEFFERSON
A31-00063A	07N	36E	33		NW	SE		JEFFERSON

OTHER AJ CLAIMS WITH SAME AJ POD

WR RECORDS IN SAME 40 ACRE TRACT

I PREFIX

R PREFIX

A31-00062A

NONE

A31-07270

31-00062J

31-00062K

31-00063J

31-00063K

31-02206

31-07270

SOURCE: GROUNDWATER

TRIG:

B. WR POINT OF DIVERSION AND SOURCE:

310063A THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)

DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE

Y

Y

FIELD

EXAMINER

WJ
P

NOTES:

See CVR 31-00062A

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
7N	36E	22	NW	SW	SW	---	---	North well
7N	36E	33	SE	NW	SE	---	---	South well
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---

SOURCE: GW

TRIB: _____

REVIEWED BY: BAC

DATE: 6/19/00

SYSTEM DESCRIPTION:

See CUR 36-00062A

A. ROOT WATER RIGHT NUMBERS: A31-00063A
A31-00063F

A31-00063H

A31-00063D

A31-00063C

A31-00063J

A31-00063K

A31-00063L

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ S/ACRES	NR S/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
06N	36E	4	NE	NE		LOREN MCGARRY RANCHES	A31-00063A / 3.0	- /			
			NE	NE		LOREN MCGARRY RANCHES	A31-00062A / 3.0	- /			
			NE	NE		LOREN MCGARRY RANCHES	A31-07270 / 4.0	31-07270 / 4.0			
			NE	NE		LOREN MCGARRY RANCHES		31-00062K / 3.0			
			NE	NE		LOREN MCGARRY RANCHES		31-00063K / 3.0			
07N	36E	27	S4	SW		LOREN MCGARRY RANCHES	A31-00063A / 35.0	- /		39.0	
			S4	SW		LOREN MCGARRY RANCHES	A31-00062A / 35.0	- /			
			S4	SW		LOREN MCGARRY RANCHES		31-00062K / 35.0			
			S4	SW		LOREN MCGARRY RANCHES		31-00063K / 35.0			
			S4	SW		HAMER CANAL CO.		31-02206 / 40.0			
			S4	SW		HAMER CANAL CO.		31-04002 /			
07N	36E	28	SE	SE		LOREN MCGARRY RANCHES	A31-00063A / 15.0	- /		38.0	
			SE	SE		LOREN MCGARRY RANCHES	A31-00062A / 15.0	- /			
			SE	SE		YEARSLEY, WADE	A31-07141A / 14.0	31-07141A / 14.0			
			SE	SE		LOREN MCGARRY RANCHES		31-00062K / 15.0			
			SE	SE		LOREN MCGARRY RANCHES		31-00063K / 15.0			
			SE	SE		HAMER CANAL CO.		31-02206 / 40.0			
			SE	SE		HAMER CANAL CO.		31-04002 /			
			SE	SE		MC GARRY, LOREN		31-07436 / 14.0			
07N	36E	33	NE	NE		LOREN MCGARRY RANCHES	A31-00063A / 31.0	- /		57.0	
			NE	NE		LOREN MCGARRY RANCHES	A31-00062A / 31.0	- /			
			NE	NE		LOREN MCGARRY RANCHES	A31-07270 / 30.0	31-07270 / 30.0			
			NE	NE		LOREN MCGARRY RANCHES		31-00062K / 31.0			
			NE	NE		LOREN MCGARRY RANCHES		31-00063K / 31.0			
			NE	NE		HAMER CANAL CO.		31-02206 / 39.0			
			NE	NE		HAMER CANAL CO.		31-04002 /			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ S/ACRES	NR S/ACRES	LANDSAT DATA	FIELD EXAM.	RECONV. ACRES
07N	36E	33	N4	NE		LOREN MCGARRY RANCHES	A31-00063A /16.0	- /		39.0	
			N4	NE		LOREN MCGARRY RANCHES	A31-00062A /16.0	- /			
			N4	NE		LOREN MCGARRY RANCHES	A31-07270 /16.0	31-07270 /16.0			
			N4	NE		STATEN, IVAN	A31-023000 / 5.0	31-023000 / 5.0			
			N4	NE		STATEN, IVAN	A31-10204 /	- /			
			N4	NE		TORGESON, RONALD	A31-02300A /20.0	31-02300A /15.0			
			N4	NE		LOREN MCGARRY RANCHES		31-00062K /16.0			
			N4	NE		LOREN MCGARRY RANCHES		31-00063K /16.0			
			N4	NE		HANER CANAL CO.		31-02206 /20.0			
			N4	NE		HANER CANAL CO.		31-04002 /			
07N	36E	33	S4	NE		LOREN MCGARRY RANCHES	A31-00063A /18.0	- /		39.0	
			S4	NE		LOREN MCGARRY RANCHES	A31-00062A /18.0	- /			
			S4	NE		LOREN MCGARRY RANCHES	A31-07270 /18.0	31-07270 /18.0			
			S4	NE		TORGESON, RONALD	A31-02300A /15.0	31-02300A /15.0			
			S4	NE		TORGESON, RONALD	A31-10400 / 5.0	- /			
			S4	NE		LOREN MCGARRY RANCHES		31-00062K /18.0			
			S4	NE		LOREN MCGARRY RANCHES		31-00063K /18.0			
			S4	NE		HANER CANAL CO.		31-02206 /20.0			
			S4	NE		HANER CANAL CO.		31-04002 /			
07N	36E	33	SE	NE		LOREN MCGARRY RANCHES	A31-00063A /40.0	- /		34.0	
			SE	NE		LOREN MCGARRY RANCHES	A31-00062A /40.0	- /			
			SE	NE		LOREN MCGARRY RANCHES	A31-07270 /39.0	31-07270 /39.0			
			SE	NE		LOREN MCGARRY RANCHES		31-00062K /40.0			
			SE	NE		LOREN MCGARRY RANCHES		31-00063K /40.0			
			SE	NE		HANER CANAL CO.		31-02206 /40.0			
			SE	NE		HANER CANAL CO.		31-04002 /			
07N	36E	33	NE	SE		LOREN MCGARRY RANCHES	A31-00063A /38.0	- /		37.0	
			NE	SE		LOREN MCGARRY RANCHES	A31-00062A /38.0	- /			
			NE	SE		LOREN MCGARRY RANCHES	A31-07270 /38.0	31-07270 /38.0			
			NE	SE		LOREN MCGARRY RANCHES		31-00062K /38.0			
			NE	SE		LOREN MCGARRY RANCHES		31-00063K /38.0			
			NE	SE		HANER CANAL CO.		31-02206 /40.0			
			NE	SE		HANER CANAL CO.		31-04002 /			
07N	36E	33	N4	SE		LOREN MCGARRY RANCHES	A31-00063A /18.0	- /		39.0	
			N4	SE		LOREN MCGARRY RANCHES	A31-00062A /18.0	- /			
			N4	SE		LOREN MCGARRY RANCHES	A31-07270 /16.0	31-07270 /16.0			
			N4	SE		TORGESON, RONALD	A31-02300A /10.0	31-02300A /10.0			
			N4	SE		TORGESON, RONALD	A31-10400 /10.0	- /			
			N4	SE		LOREN MCGARRY RANCHES		31-00062K /18.0			
			N4	SE		LOREN MCGARRY RANCHES		31-00063K /18.0			
			N4	SE		HANER CANAL CO.		31-02206 /20.0			
			N4	SE		HANER CANAL CO.		31-04002 /			
07N	36E	33	S4	SE		LOREN MCGARRY RANCHES	A31-00063A /15.0	- /		30.0	

TWP	RNG	SEC	1/4	1/4	LOT	NAME	W/ACRES	W/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			SW	SE		LOREN MCGARRY RANCHES	A31-00062A /15.0	- /			
			SW	SE		LOREN MCGARRY RANCHES	A31-07270 /13.0	31-07270 /13.0			
			SW	SE		LOREN MCGARRY RANCHES		31-00062K /15.0			
			SW	SE		LOREN MCGARRY RANCHES		31-00063K /15.0			
			SW	SE		MAHER CANAL CO.		31-02206 /40.0			
			SW	SE		MAHER CANAL CO.		31-00062J / 6.0			
			SW	SE		MAHER CANAL CO.		31-00063J / 6.0			
07N	36E	33	SE	SE		LOREN MCGARRY RANCHES	A31-00063A /40.0	- /		37.5	
			SE	SE		LOREN MCGARRY RANCHES	A31-00062A /40.0	- /			
			SE	SE		LOREN MCGARRY RANCHES	A31-07270 /40.0	31-07270 /40.0			
			SE	SE		LOREN MCGARRY RANCHES		31-00062K /40.0			
			SE	SE		LOREN MCGARRY RANCHES		31-00063K /40.0			
			SE	SE		MAHER CANAL CO.		31-02206 /40.0			
07N	36E	34	SW	SW		LOREN MCGARRY RANCHES	A31-00063A /16.0	- /		1.5	
			SW	SW		LOREN MCGARRY RANCHES	A31-00062A /16.0	- /			
			SW	SW		LOREN MCGARRY RANCHES	A31-07270 /18.0	31-07270 /18.0			
			SW	SW		LOREN MCGARRY RANCHES		31-00062K /16.0			
			SW	SW		LOREN MCGARRY RANCHES		31-00063K /16.0			
			SW	SW		MAHER CANAL CO.		31-02206 /40.0			
TOTAL ACRES							A31-00063A	285.50		376.50	

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO PO3 DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

POU COUNTY: JEFFERSON

See WR 31-00062A

PRESUMPTION FLAG:

NOTES:

$\frac{1.67 \text{ yds}}{0.02/\text{acre}} = 84 \text{ acres limitation}$

RECOMMENDATIONS:

TOTAL ACRES: 84 within 285

REVIEWED BY: BAC

DATE: 6/19/00

A. AS CLAIMED USES:

PURPOSES
A31-00063A IRRIGATION

MONTH/DAY
FROM 04-01 TO 11-01

DIVERSION QUANTITY
1.670 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

1.670 CFS

B. AS RECORDED USES:

PURPOSES

MONTH/DAY

DIVERSION QUANTITY

TOTAL DIVERSION RATE/VOLUME CLAIMED

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

DUE TO WATER-USE DISCREPANCY? (Y/N)
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)

DATABASE FIELD
EXAMINER
Y N
Y N
Y N

D. PERIODS OF USE:

RECOMMEND AS CLAIMED?

Y() N(☒)

RECOMMEND TO NR STANDARDS OR OTHER?

Y() N(☒)

EXPLAIN IN NOTES, BELOW.

NOTES:

5/1-9/1 per transfer 3508

K-1 (L) T 3808

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***
 ** IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS **
 ** CLAIMED AND AN EXAM IS NOT REQUIRED, EXPLAIN IN NOTES. **

FIELD
DATABASE EXAMINER
Y N

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

See CVR 31-00062A

OTHER RIGHTS LISTED IN CLAIM A31-000621 AND A31-07270A

LIST ALL RIGHTS WITH A SAME POW AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
AS1-00013A	GROUNDWATER	LOREN MCGARRY RANCHES	1.570	0.005		
AS1-00052A	GROUNDWATER	LOREN MCGARRY RANCHES	4.830	0.014		
AS1-02570A	GROUNDWATER	TORGERSO, RONALD	3.700	0.020		
AS1-02530B	GROUNDWATER	STATEN, IVAN	0.100	0.020		
AS1-07161A	GROUNDWATER	YEARSLEY, MADE	2.580	0.020		
AS1-07270	GROUNDWATER	LOREN MCGARRY RANCHES	4.540	0.020		
AS1-10620	GROUNDWATER	TORGERSO, RONALD	1.400	0.020		

LIST ALL RIGHTS WITH SAME PDU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
ASI-10246	DOMESTIC	STATEN, IVAN	FROM 01-01 TO 12-31	.040 CFS	

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE

ACRES 84 X 0.02 CFS/ACRE = 1.68 CFS
(TAKEN FROM P/U REVIEW)

1B. CALCULATIONS

DID AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(☒)

IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N(☒)

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 712.5 AF/A

ACRES _____ X CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES 84 X DIVERSION VOL. AF/A FOR AREA 3.5 = 294

TOTAL DIVERSION VOLUME 294 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(☒)

SPLIT INTO 31-0063C & 31-0053D BY TRANS. 2623.

NOTES: (INCLUDE LIMITATIONS ON CONSUMPTIVE USE FOR COMBINED RIGHTS.)

See 31-00063A for analysis of combined use limitations.
31-07272

RECOMMENDATIONS:

REC.
PURPOSES

REC. PERIOD
FROM TO

REC. DIV
RATE CFS

REC. DIV
VOL. NFPA

REC. CONS.
USE

DATABASE EXAMINER

DATABASE EXAMINER

DATABASE EXAMINER

Irr

5/1 9/1

167

294

TOTAL FOR THIS RIGHT

REVIEWED BY:

BAL

DATE:

6/19/00

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. APPLICANT _____

ACCEPTED
AS CLAIMED { }
NEEDS
REVIEW { }
N/A { }

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 31-00063

TOTAL DIVERSION RATE OF MR SPLITS

DATABASE
8.800

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	MR RIGHT NUMBERS	DIVERSION RATE
-	A31-00063A	1.670	-	-	31-00063A	-
-	A31-00063F	1.110	-	-	31-00063F	1.110
-	A31-00063H	1.020	-	-	31-00063H	1.020
-	A31-00063B	1.170	-	-	31-00063B	1.170
-	A31-00063C	0.510	-	-	31-00063C	-
-	A31-00063J	3.440	-	-	31-00063J	1.010
-	A31-00063K	3.160	-	-	31-00063K	1.670
-	A31-00063L	0.660	-	-	31-00063L	2.510
-	-	-	-	-	31-00063	-
-	-	-	-	-	31-00063E	-
-	-	-	-	-	31-00063G	-
-	-	-	-	-	31-00063M	3.310
TOTAL CFS		12.740				3.800

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW SHEET ATTACHED? (Y/N)

DATABASE
N

FIELD
EXAMINER

NOTES:

See files, CUR 31-00062A

AUTHENTICATION:

SIGNATURE: Bryce A. Contor DATE: 6/19/00

NAME OF FIELD EXAMINER: Bryce A. Contor TITLE: SWA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:45:51
03/15/95

PAGE: 15
QUICKLOOK INFORMATION

CLAIM NUMBER: A31-20053A

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY MON/DAT	FIELD EXAM BY MON/DAT	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW MON/DAT	COMPLETED DATA ENTRY MON/DAT	VERIFIED DATE MON/DAT
PRIORITY DATE	Y				BAC			
POINT OF DIV.	Y				CVR			
SOURCE	Y				6/19/02			
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS	Y							

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 MAPS PHOTOS = 4
 FIELD EXAM = 5
 OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

PAGE: 15
PROFILE REPORT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

250554
05/15/93

CLAIM NUMBER: A31-000638

OWNER
CODE

NAME & ADDRESS

C LOREN MCARRY RANCHES
MC 69 BOX 1070
HARPER ID 83425
(208) 662-5221

PRIORITY
DATE

05/01/1928

WATER USE

IRRIGATION

USE PERIOD
FROM TO

04-01-12-01
5/1-9/1

TOTAL DIVERSION:
CONSUMPTIVE USE:

DIVERSION
RATE

1.67 CFS

DIVERSION
VOLUME

1.67 CFS

294
712.5 AFA

WATER SOURCE: GROUNDWATER

POINT(S) OF DIVERSION:

TRIBUTARY TO:

SESE NNSWSW
SE NWE

North well
South well

STAGE: BENEFICIAL USE

JEFFERSON COUNTY
JEFFERSON COUNTY

PLACE OF USE LEGAL DESCRIPTION FOR:

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IRRIGATION

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SUM

TOTAL ACRES

285.0

(Copy fr. 62A)

POU COUNTY:

NON-IRRIGATION USES: NONE

OTHER RIGHTS: A31-000628 AND A31-072704

REMARKS: THIS WAS NUMBERED 31-000638 UNDER TRANSF. 2984

DATES: EXAM MADE DATE:

WATER DISTRICT NUMBER:

VERIFIED DATE:

FIELD INSPECTION FLAG:
PRESUMPTION FLAG:

Copy remarks fr. 31-000628
This WR 84 acre limitation

POD ID

POU ID

RECEIVED

NOV 13 2001

RECEIVED

NOV 19 2001

Department of Water Resources
Eastern Region

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	A. Subcase No. 31-00063A
	)	
Case No. 39576	)	STANDARD FORM 2
	)	RESPONSE TO OBJECTION
_____	)	

B. NAME AND ADDRESS OF PERSON RESPONDING:

Name: United States of America, acting through the USDA Forest Service
Address: 550 W. Fort St. MSC 033
Boise, ID 83724

Name and Address of Attorney:

Attorney Name: David L. Negri
Attorney Address: United States Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 W. Fort St. MSC 033
Boise, ID 83724
Attorney Phone: (208) 331-5943

C. NAME AND ADDRESS OF PERSON WHO FILED OBJECTION TO WHICH YOU
ARE RESPONDING:

Name: Idaho Department of Lands
Address: 954 West Jefferson Street
P.O. Box 83720
Boise, ID 83720-0050

D. I am responding to the objection(s) to the following elements:

1. ☒ Name and Address

2. ☐ Source

3. ☐ Quantity

4. ☐ Priority Date

5. ☐ Point(s) of Diversion

6. ☐ Instream Flow Description

7. ☐ Purpose(s) of Use

8. ☐ Period of Year

9. ☐ Place of Use

11. Recommendation:

☐ This water right should not exist

☐ This water right was not recommended, but should be recommended with the elements described above.

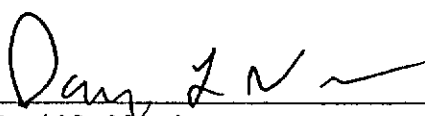
VERIFICATION

State of Idaho)
) ss.
County of Ada)

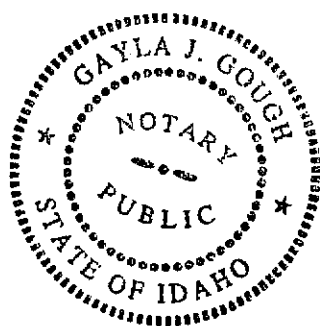
MICHAEL COLLETTE, duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this response, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding, and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

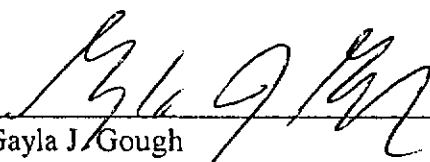

Michael Collette


David L. Negri
United States Department of Justice

Subscribed and sworn to before me on: November 8, 2001



(seal)


Gayla J. Gough
Notary Public for: Idaho
Residing at: Kuna, Idaho
My Commission Expires: 11-17-2004

CERTIFICATE OF MAILING

I certify that on November 9, 2001, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original BY HAND DELIVERY to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy by U.S. Mail to the claimant of the water right at the following address:

Loren McGarry Ranches
HC 69 Box 1070
Hamer, Idaho 83425

3. One copy by U.S. Mail to the party who filed the objection at the following address:

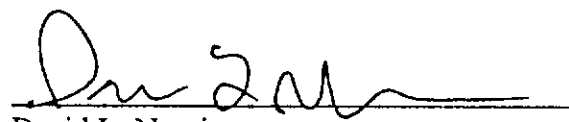
Steven J. Shuster
Deputy Attorney General
Idaho Department of Lands
954 West Jefferson Street
P.O. Box 83720
Boise, Idaho 83720-0050

4. Copies by U.S. Mail to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment & Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724


David L. Negri

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	Subcase 31-63A
	)	
Case No. 39576	)	
	)	STANDARD FORM 1
	)	OBJECTION
	)	
	)	

NAME AND ADDRESS OF PERSON OBJECTING

Name: Idaho Department of Lands
Address: 954 West Jefferson Street
PO Box 83720
Boise, Idaho 83720-0050

Daytime Phone: (208) 334-0200

Name & Address of Attorney, if any:

Attorney Name:	ALAN G. LANCE Attorney General CLIVE J. STRONG Deputy Attorney General Chief, Natural Resources Division STEVEN J. SCHUSTER Deputy Attorney General Idaho Department of Lands
Attorney Address:	954 West Jefferson Street PO Box 83720 Boise, Idaho 83720-0050
Attorney Phone No.	(208) 334-0200 Idaho State Bar # 3453

CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Loren McGarry Ranches
Address: HC 69, Box 1070
Hamer, Idaho 83425

I object to the following elements as recommended in the Director's Report.

1. ☒ **Name and Address**
Should be: Idaho Department of Lands
954 West Jefferson Street
PO Box 83720
Boise, Idaho 83720-0050
2. ☐ **Source**
Should be: As claimed
3. ☐ **Quantity**
Should be: As claimed
4. ☐ **Priority Date**
Should be: As claimed
5. ☐ **Point(s) of Diversion**
Should be: As claimed
6. ☐ **Instream Flow Description**
Should be: As claimed
7. ☐ **Purpose(s) of Use**
Should be: As claimed
8. ☐ **Period of Year**
Should be: As claimed
9. ☐ **Place of Use**
Should be: As claimed
10. **I object because:**
 - ☐ This water right should not exist.
 - ☒ This water right was not recommended, but should be recommended with the elements described above.

REASONS SUPPORTING OBJECTION(S):

The State of Idaho, through the Idaho Department of Lands, is the owner of a portion of the land upon which use is claimed. This land is State Public School endowment land. This land is more particularly described as the NE¼NE¼ of Section 4, Township 6 North, Range 36 East, Boise Meridian. The claimant does not have a valid water right for use on the endowment land because a private claim cannot be made on such lands.

VERIFICATION

State of Idaho)
) ss.
County of Ada)

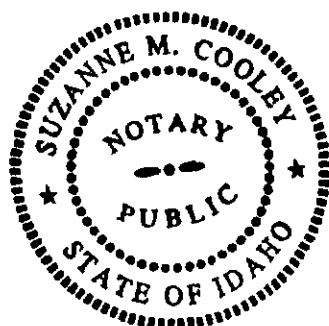
Steven J. Schuster, duly sworn, upon oath, deposes and says:

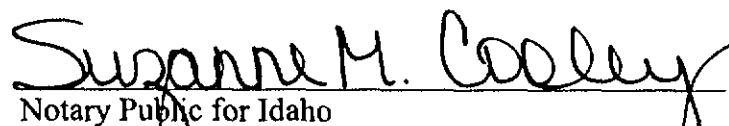
That the State of Idaho, Department of Lands, in its proprietary capacity is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho, Department of Lands which is a party/claimant in this proceeding as defined by I.C. § 42-1401A (1) and (6), and I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

ALAN G. LANCE
Attorney General
CLIVE J. STRONG
Deputy Attorney General
STEVEN J. SCHUSTER
Deputy Attorney General
Idaho Department of Lands


STEVEN J. SCHUSTER
Deputy Attorney General
Idaho Department of Lands

Subscribed and sworn to before me on this 6th day of September
2001.




Notary Public for Idaho
Residing at: Boise, ID
My Commission expires: 7-22-2002

CERTIFICATE OF MAILING

I certify that on this 6th day of September, 2001, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Loren McGarry Ranches
Address: HC 69, Box 1070
Hamer, Idaho 83425

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, Idaho 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, Idaho 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, Idaho 83724


STEVEN J. SCHUSTER
Deputy Attorney General
Idaho Department of Lands

RECEIVED

MAR 11 2002

Department of Water Resources
Eastern Region

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	SUBCASE NO: 31-63A
	)	
	)	AMENDED
Case No. 39576	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; and they have been served with sufficient process, according to the law; and that they have appeared, prosecuted and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

Loren McGarry 2/25/02
Loren McGarry
Loren McGarry Ranches.
Date

OBJECTOR:

Steven J. Schuster 3/4/02
Steven J. Schuster
Deputy Attorney General
Idaho Department of Lands
Date

IDWR CONCURRENCE:

Carter Fritschle 2-14-02
Carter Fritschle
Adjudication Water Rights Supervisor, IDWR
Date

Candice M. McHugh 2/14/02
Candice M. McHugh (As to Form)
Attorney for IDWR
Date

02/13/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-63A
NAME AND ADDRESS: LOREN MCGARRY RANCHES
HC 69 BOX 1070
HAMER ID 83425

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 1.670 CFS
294.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.70 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1044.7 AF. COMBINED RIGHT NOS.: 31-62A, 31-63A, 31-7270, 31-11605 AND 31-11619.

~~USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.70 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 881.5 AF. COMBINED RIGHT NOS.: 31-62A, 31-63A AND 31-7270.~~

PRIORITY DATE: 05/01/1928

POINT OF
DIVERSION:

T07N R36E S27 NWSWS Within JEFFERSON County
T07N R36E S33 SENWSE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	5/01 9/01	1.670 CFS 294.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MAY 1 AND AFTER SEPTEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within JEFFERSON County

T07N R36E S27	NWSW	40.0	T07N R36E S27	SWSW	38.0
T07N R36E S28	SESE	15.0	T07N R36E S33	NENE	31.0
T07N R36E S33	NWNE	18.0	T07N R36E S33	SWNE	19.0
T07N R36E S33	SENE	39.0	T07N R36E S33	NESE	40.0
T07N R36E S33	NWSE	20.0	T07N R36E S33	SWSE	15.0
T07N R36E S33	SESE	40.0	T07N R36E S34	SWSW	13.0
~~T06N R36E S04~~	~~NENE~~	~~3.0~~			

~~205~~ 328 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF ~~339~~ 328 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-62A, 31-63A, 31-7270, 31-11605 AND 31-11619.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF ~~205~~ 328 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-62A, 31-63A AND 31-11605 ~~31-7270~~.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 84 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Amended SF5 31-63A

02/13/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RIGHT NO. 31-11605 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

~~THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE IN SECTION 27: 31-00062A, 31-00063A, 31-00062P, 31-00063P, 31-11605. THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE IN SECTION 33: 31-00062A, 31-00063A, 31-07270, AND 31-11619.~~

CD

Some
L/M SJS

CERTIFICATE OF MAILING

I certify that on March 16, 2002 I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

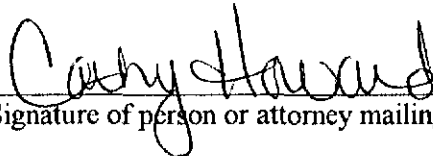
2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

Steve J. Schuster
Deputy Attorney General
Idaho Department Of Lands
P.O. Box 83720
Boise, ID 83720-0050

Loren McGarry
Loren McGarry Ranches
HC 69 Box 1070
Hamer, ID 83425



Signature of person or attorney mailing the form

01/16/2001

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: ~~February~~ ^{March} 9, 2001

Water right number: 31-63A

LOREN MCGARRY RANCHES
HC 69 BOX 1070
HAMER, ID 83425

Daytime Telephone Number: (208)662-5227
Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

LOANER hcf TO F NW 412 Sec 34

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☐ I AGREE with this proposed recommendation: *no changes need to be made.*

DATE: *2/21/001* SIGNATURE: *Pete McGarry*

Please print your name: *Pete McGARRY*

IDWR Regional Office, 900 N Skyline, Idaho Falls, ID 83402, (208) 525-7161

MEMORANDUM

To: A31-7141C File
Loren McGarry Ranches AJ File
Fr: Bryce Contor
Date: 12/23/2000

31-62A
31-63K
31-7270

Re: Phone conversations w/ Brent Dalling &
Wade Yearsley

I called Brent to discuss whether he had irrigated any lands in the SE SE. If he had, he could sign an amended claim asserting accomplished transfer, and I could recommend the full licensed acres.

Brent said he had not irrigated those lands, but that his predecessor Wade Yearsley would know if they had been irrigated prior to Brent's purchase.

We also discussed the lack of an AJ claim on the NWSW of section 27. This belongs to McGarry but Brent is interested because he is leasing the ground w/ an option to buy.

Brent stated that those lands had been irrigated by handlines out of Wade Yearsley's small well immediately to the North. I told Brent that McGarry had a post-87 transfer that may prevent asserting enlargement &/or accomplished transfer, but that I would look at the files Tuesday.

12/23/2000 (2)

I then called Wade Yearsley. He confirmed everything Brent had said and added some details.

The important details of these conversations are:

- 1) 31-7141C has only been used in the SWSE of section 28. The entire parcel is 20 acres. The feedlot has been present almost from the beginning. Therefore the original finding of about 15 or 16 acres is probably correct.
- 2) The diversion rate claimed & licensed for 31-7141C is 0.38 cfs, which is more than 0.02/acre on the recommendable acres. If NWMD exam shows current capacity requires the full 0.38, I plan to recommend the 0.38 with an appropriate 14-day volume limitation based on the 0.02/acre rate. This will be on the grounds that the developed diversion rate was within the original license authorization and is required for the installed system. Any injury can be asserted in the objection period.
- 3) When Wade Yearsley installed his small well, he had a lease arrangement with McGarry for the 40 acres just south of his 50 acres. He installed a pump designed for $4\frac{1}{2}$ handlines, as he recalls the design flow was about 800 GPM.

12/23/2000 (3)

- 4) Wade watered the full 90 acres from this well up through about 1985. For two or three years thereafter, Justin Place rented the McGarry 40 and continued to use Yearsley's well for water supply. Sometime later the current pivot was installed & the McGarry 40 has been irrigated from McGarry's well in SWSW of 27 via the pivot.

Based on the above, I need to carefully review the McGarry claims & recommendations and post-87 transfers. One concern I discussed with Brent is that the post-87 transfers may prevent asserting enlargement / accomplished transfer.

However, I need to review with Harold Jones the status of enlargements & transfers at the time the McGarry transfers were approved. It may be that at that time, transfers could not recognize enlargements.

It also may be that the transfer only involved the Hamer Canal right and not the 7000 Series license.

If possible, my plan is to assert an enlargement^{of McGarry's 7000-series license} and accomplished transfer of PD when Yearsley began irrigating the McGarry 40. Then, assert a second accomplished transfer of PD when the pivot was installed (back to the original licensed PD).

Byron A. Connor

To: A31-00062A
A31-00063A
A31-07270
Jennifer Crabtree
Fr: Bryce Contor
Date: 6/28/2000

Re: Change of Ownership

Mr. Huskinson was in the office today. He indicated that the McGarry family exercised their option to re-purchase this property, so there will be no change of ownership.

To: A31-00062A
A31-00063A
A31-07270
Fr: Bryce Contor
Date: 6/20/2000

Re: Change of Ownership

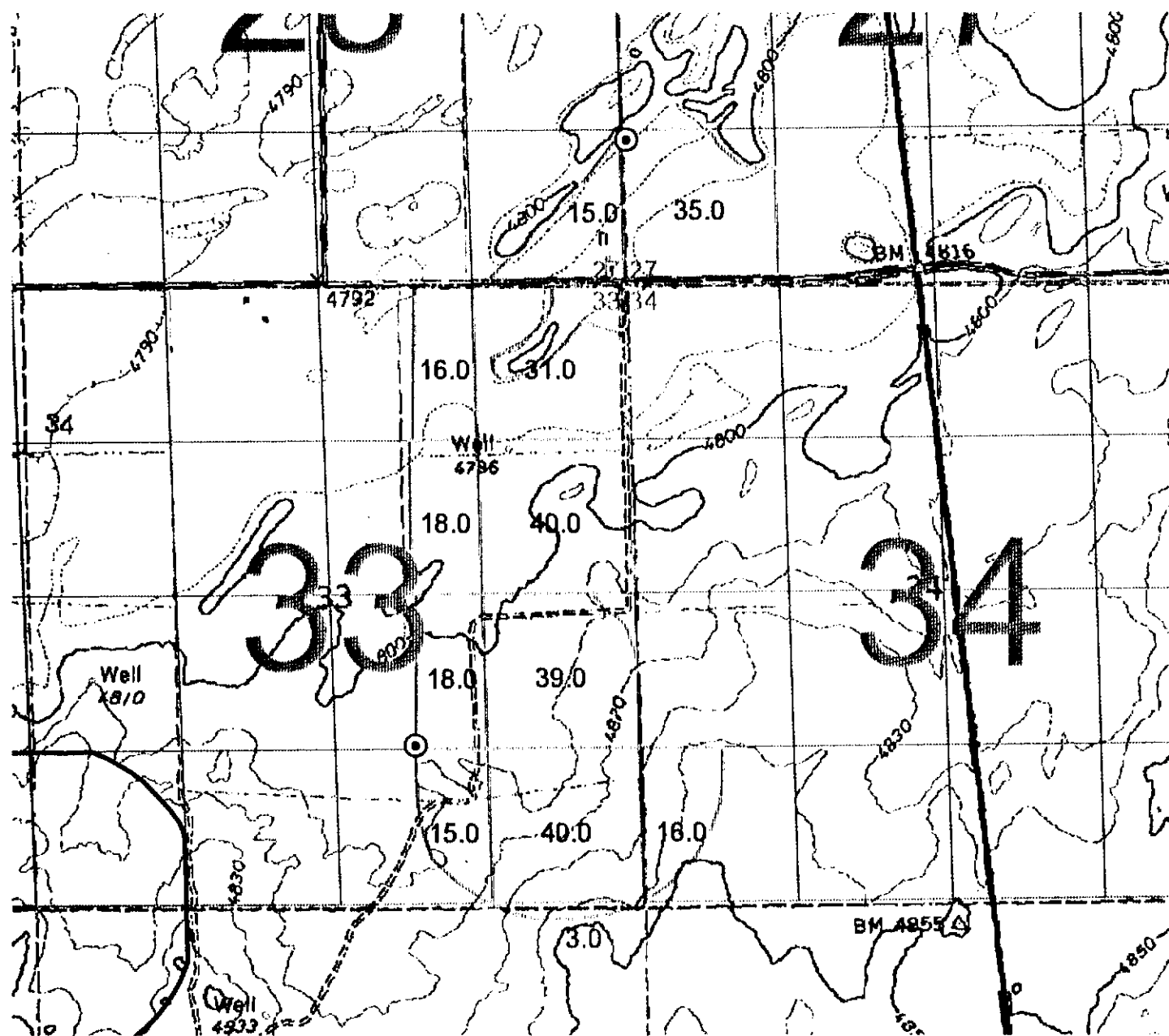
Today I talked w/ Scott Clawson, manager of Cornelison Farms. According to Scott, McGarry is still the owner of the POU of these rights, and Cornelison Farms has a long term lease - perhaps as long as 20 years.

The documentation submitted by Huskinson for the Change of Ownership appeared to include an option for McGarry to repurchase the property within a certain time period. If Mr. Clawson's information is correct, apparently this has happened.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062A, 31-00063A,
31-07270

Township 6N Range 36E Section 4
Township 7N Range 35E Section 27, 38, 33, 34



- Point of Diversion - This Water Right
- Point of Diversion - Other Water Rights
- Place of Use - This WR
- Place of Use - Other WR
- Sections
- Quarter-quarter Sections

0 1320 Feet



WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

06/16/00 16:50:38
Page 1

Water Right Number - 31-00063K

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
LOREN MCGARRY RANCHES

1 - 2393 E. 1900 N.

2 -

3 -

City- HAMER

State- ID Zip- 83425

Phone - 208-662-5227

*** D - ORIGINAL OWNER ***
HAMER CANAL CO.

1 -

2 -

3 -

City- HAMER

State- ID Zip- 83425

Phone - 208-000-0000

+ - - Priority Date - - +
05/01/1928

+ - - - Region - - - +
15 EASTERN

+ - - - Stage - - - +
D - DECREED

+ - - - Status - - - +

+ - - - - Source - - - - +
GROUNDWATER

+ - - - - Tributary - - - - +

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

07N 36E 27 SW SW (51) JEFFERSON
33 NW SE (51) JEFFERSON

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 05/01 09/01 1.670

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.670 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

06N	36E	4	NE NE		3.0	01	IRRIGATION	(51) JEFFERSON
07N	36E	27	SW SW		35.0	01	IRRIGATION	(51) JEFFERSON
07N	36E	28	SE SE		15.0	01	IRRIGATION	(51) JEFFERSON
07N	36E	33	NE NE		31.0	01	IRRIGATION	(51) JEFFERSON
07N	36E	33	NW NE		16.0	01	IRRIGATION	(51) JEFFERSON
07N	36E	33	SW NE		18.0	01	IRRIGATION	(51) JEFFERSON
07N	36E	33	SE NE		40.0	01	IRRIGATION	(51) JEFFERSON
07N	36E	33	NE SE		38.0	01	IRRIGATION	(51) JEFFERSON
07N	36E	33	NW SE		18.0	01	IRRIGATION	(51) JEFFERSON
07N	36E	33	SW SE		15.0	01	IRRIGATION	(51) JEFFERSON
07N	36E	33	SE SE		40.0	01	IRRIGATION	(51) JEFFERSON
07N	36E	34	SW SW		16.0	01	IRRIGATION	(51) JEFFERSON

Total Acres: 285.0

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

06/16/00 16:50:38
Page 2

Water right number - 31-00063K Prefix Translation: WATER RIGHT

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - - +

GEN TRANS. 1584, 2403, 2423, 2424 & 2425.
7 P/D IN NWSW 14, 2 P/D IN NESW & 4 P/D IN NWSE, S14, T7N, R36E.
Transfer No. 2984 split 31-00063G into parts J & K and updated
place of use/irrigated acreage owned by McGarry Ranches.

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - - +

- T07 - The right holder shall accomplish the change authorized by this
- transfer within one (1) year of the date of this approval.
T08 - Failure of the right holder to comply with the conditions of this
- transfer is cause for the Director to rescind approval of the
- transfer.
T09 - Approval of this transfer does not preclude the opportunity for
- review of the validity of the water right(s) in the ongoing
- Snake River Basin Adjudication.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +

ERNEST SAUVE

W. H. ABBOTT.

11/01/1930

+ - - - - - Comments - - - - - +

No Comments Found

+ - - Audit Fields - 05/23/91 MILLER

+ - - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 00/00/0000	Verified Date - 07/15/1985	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District - 31
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended - P
Presumption Flag -	Name Connector -	POU Ownership Flag-
SRBA Decreed Flag -		



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 16, 2000

Robert Huskinson
35 S Mill Hollow Road
Rexburg, ID 83440

Dear Mr. Huskinson:

I am returning the Notice of Change of Ownership you submitted in February for some of the Loren McGarry water rights. --

The deed attached to the Notice references the place of use associated with McGarry rights A31-00062A, A31-00063A, and A31-07270. However, the Notice asks for ownership to be changed on rights A31-00141 and A31-00142.

If you wish to have the ownership of A31-00062A, A31-00063A, and A31-07270 changed to your name, please add them to the water right list on the Notice, and return it with the copy of the deed attached.

If you wish to have the ownership of A31-00141 and A31-00142 changed to your name, please also attach a deed documenting that you have purchased the place of use of these water rights. I have enclosed printouts of the water right for your convenience.

Note that effective July 1, there will be a fee of \$25/water right for changes of ownership.

Please call me at 525-7161 if you have questions.

Sincerely,

Bryce A. Contor

To: Splits of A31-00062 and A31-00063
Fr: Bryce A. Contor
Date: 3/16/2000

Re: Split analysis, competing claims.

These water rights are the splits of the original Hamer Canal Co. rights. They shared a common POU and common POD's. 31-00062 was for 21.2 cfs with priority 10/31/1917. 31-00063 was for 8.8 cfs with priority 5/1/1928. Total is 30.0 cfs. Both are groundwater rights.

Transfer 1584 added points of diversion. Subsequent transfers split off parts of the original right, as individual shareholders began diverting their shares from private wells on their own POU. Some subsequent transfers change POU or POD of these split-off portions. Adjudication claims have been received corresponding to each of these splits by formal transfer.

Following the formal transfers, a portion of the original rights remained unchanged, as recorded in WR record 31-00062Q and 31-00063Q. Competing adjudication claims have been filed on this remaining portion.

This memo outlines the history of splits, and gives some information on competing claims. It relies on the following documentation, which is filed with A31-00062A:

- GIS maps of history of formal transfers. Pages 1 through 10.
- GIS map of competing claims for the remaining portion (WR splits "62Q" and "63Q"). Page 11.
- GIS map showing 1987 irrigation of lands under WR splits "Q." Page 12.
- 1980 NAPP showing 1980 irrigation of lands under competing claims. Pages 13 and 14.
- Close-up from USGS map W41 showing Hamer Canal delivery system, enhanced by GIS. Page 15.
- Memo from president and past presidents of Hamer Canal Company regarding ownership of shares, June 25, 1983. Page 16.
- Affidavit from officials of Hamer Canal Company regarding ownership of shares, 1984. Page 17.

- Stipulation and Agreement of shareholders of Hamer Canal Company, 1980. Page 18.
- Ernie Carlsen memo of conversation w/ Neal Savage, June 1980. Page 19.
- Excerpt from USDA Water Facility Operations Proposal for the Hamer Canal Company, 1941. Pages 20 and 21.
- Second copy of Stipulation and Agreement with cfs notations. Page 22.
- Review of claims and comparison with Stipulation and Agreement. Pages 23 and 24.

The memo also relies on some documentation found in file A31-00062L regarding denied transfer application 2890, and conversations with Harold Jones and Ernie Carlsen. Jones and Carlsen were involved in the original transfers and in the investigation of application 2890.

I. History of Place of Use

While the decreed place of use covered approximately 3140 acres, Mr. Jones and Mr. Carlsen indicate that this was at best a service area rather than an actual place of use. With the severe leakage of the canal and the sandy soils in the area, 30 cfs would have been adequate for only a fraction of the original decreed acres.

GIS map # 12 shows that some of the areas covered by WR splits "Q" were not under irrigation in 1987 and likely had not been for some time. Jones and Carlsen recall that additional GW licenses were developed for other lands under the Hamer Canal. Documentation in 31-00062L shows this for the Wade Yearsley places of use, and the WR and AJ databases bear this out for lands in section 23. Other places of use were not investigated.

It appears that all of the competing claims "L," "K," "Q," and "S" all were under irrigation in 1980 and 1987. "L," however, is in a location that could not physically have been served by the Hamer Canal but would have to represent an accomplished transfer. This claim in fact is based upon the denied transfer application 2890. Jones and Carlsen indicate that they found no evidence that no original Hamer Canal lands were dried up to accommodate the transfer. Conversation memos in A31-00062L indicate that the claimant acknowledges that all the original Hamer Canal lands were still being irrigated.

Claims "K," "Q," and "S" are in locations where irrigation from the Hamer Canal would have been physically possible.

II. Overlapping Water Rights on Competing Claims

Claims "L" are overlapped by license 31-02337 and claim A31-02337. The license authorizes 1.68 cfs on 84 acres (0.02 cfs/acre). The AJ claim is for 112 acres, which is substantiated by GIS analysis.

The claimant appears to have an ownership claim on the unallocated Hamer Canal rights (see "ownership" below). Because no Hamer Canal lands have been dewatered, the Hamer Canal rights will have to overlap the licensed right, rather than cover the enlargement acres. The license is already for 0.02 cfs/acre, but since the lands are surface irrigated, a Hubble analysis might justify additional diversion rate on the licensed 84 acres. However, this becomes problematic in light of the enlargement; how do we justify a need for additional diversion rate, and at the same time justify additional acres without additional diversion rate? (Note that NWMD measured over 6.0 cfs; the license is for 1.68.)

Claimant has been requested to provide additional documentation of the history of the use of the claimed right. Further analysis and investigation will be filed in A31-00062L. At first blush it appears that even though claimant may have title to the right, there has not been a valid accomplished transfer or enlargement of the original Hamer Canal rights. Upon receipt of documentation I will continue review.

Claims "Q" are not overlapped by any WR or claim. I've requested documentation of use and ownership from claimant. Upon receipt, I will begin CVR investigation.

Claims "S" are overlapped by beneficial use claim A31-10503 and license-based claim A31-07203. These overlaps have not been investigated. Ownership review below indicates the claimant does have an interest in the Hamer Canal rights. I have also requested documentation and will proceed with CVR review upon receipt.

III. Ownership

Documentation of ownership is incomplete and contradictory:

1. Memo from past presidents of Hamer Canal Co. (1983, p. 16) indicates that "existing water rights in the Upper Hamer Canal Company, now belong to Dave Murdock and Loren McGarry." This is contradicted, however, by Rene Shurtliff's ownership documentation in transfer 4911 (1997). It is unclear if there may also be others with legitimate claims to the water apparently granted to Murdock by this memo. Specifically, it is unclear who now has title to the shares of Shirley and Lounsbury (see items 3, 4, and 5).
2. Affidavit of officials of Hamer Canal Co. (1984, p. 17) indicate that Dave Murdock "has purchased water rights in excess of the amount he is still using" and that he specifically had purchased the rights to 212 acres in sections 22

and 28. Wade Yearsley, owner of the lands, provided an affidavit that the Hamer Canal Water had been used on those lands but no longer is, and that he had no claim on the Hamer Canal shares. However, documentation in A31-00062L shows that those places of use continued to be irrigated under other rights and claims.

3. Stipulation and Agreement (1980, p18) accounts for 18.1 cfs of the 30.0 decreed cfs. The Neal Savage conversation memo (1980, p. 19) indicates that all the shareholders signed the Stipulation and Agreement. However, the list itself appears to only be a list of shares proposed to be transferred out of the company. No number of shares is listed for signers Ralph Lounsbury, Loren McGarry, or Dan Murdock. Further, "zero" shares are listed for Rene Shurtliff.
4. Water Facilities Operation Proposal (Pages 20 and 21) indicates that in 1941 there were 322 shares of stock outstanding. The stipulation asserts 5 miners inches per share. $30 \text{ CFS} \times 50 \text{ inches/cfs} \times 1 \text{ share/5 inches}$ indicates 300 shares outstanding.
5. The copy of the Stipulation and Agreement with cfs notations (Page 22) accounts for all of the stipulated shares except Lynn Shirley's.
6. Review of Claims (Pages 23 and 24) identifies claims associated with McGarry ("A"), Murdock's original shares ("K"), and Shurtliff ("J").

Murdock's "L" claim, and Dalling's "Q" claim, are not linked back to any signers of the Stipulation and Agreement or any of the stipulated shares.

The review accounts for all the stipulated shares except Shirley's and all the signers except Lounsbury and Shirley.

IV. Diversion Rate

The decreed diversion rate was 30.0 cfs. However, the Water Facilities Operation Proposal (Pages 20 and 21) indicates that in 1941, the canal was "assessing 322 shares of stock... and delivering approximately two miner's inches of water per share." This is only about 13 cfs. However, it is likely that part of the proposal, and part of transfer 1584, were efforts to recover diversion capacity lost to declining pumping water levels.

The formal transfers were all processed under the assumption that the original diversion rate was valid and I plan to do the same with AJ claims, as ownership and historical use documentation allows.

To: Splits of A31-00063
Fr: Bryce A. Contor
Date: 2/17/2000 *Bryce*

Re: Split History

Attached are split histories for the WR side and AJ side. Primary documentation is in A31-00063A. Additional documentation is in A31-00062J, and A31-00062H.

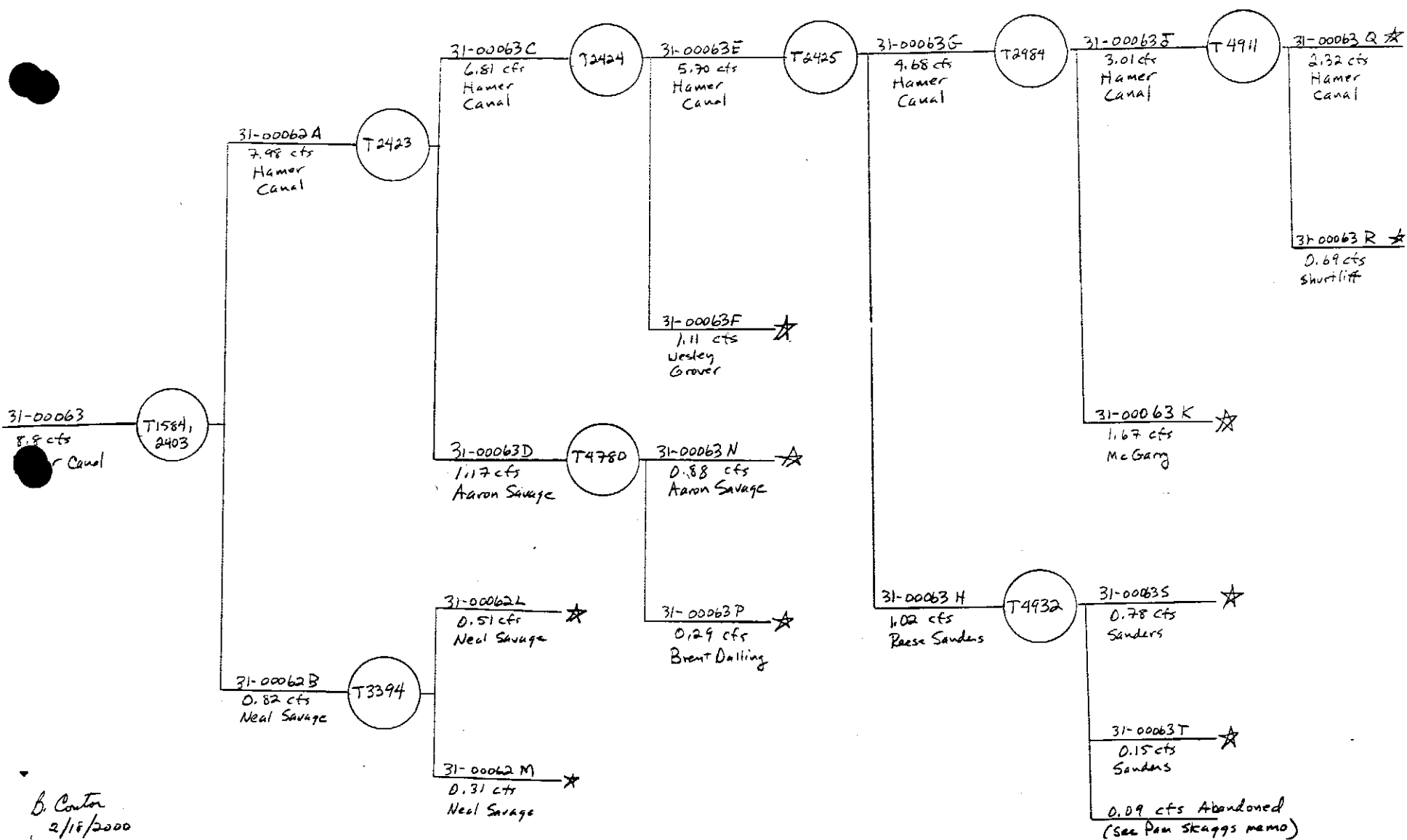
Note that transfer 4932 declared 0.09 cfs of original right 31-00063 to be abandoned. Memo in file A31-00063A.

Claim A31-00063H, corresponding to WR 31-00063H, needs to be split per T4923. Transfer split WR into portions "S" and "T," but claim "S" has already been used to represent a part of original WR 31-00063Q.

Four claims -- A31-00063K, A31-00063L, A31-00063Q, and A31-00063S -- appear to have their basis in WR 31-00063Q. These will need careful research of ownership history, original POU, and accomplished transfer. While original right 31-00063Q is overclaimed, 31-00062Q is underclaimed. It may be that all these are legitimate claims, but the diversion rates have been reversed between corresponding splits of '62 and '63.

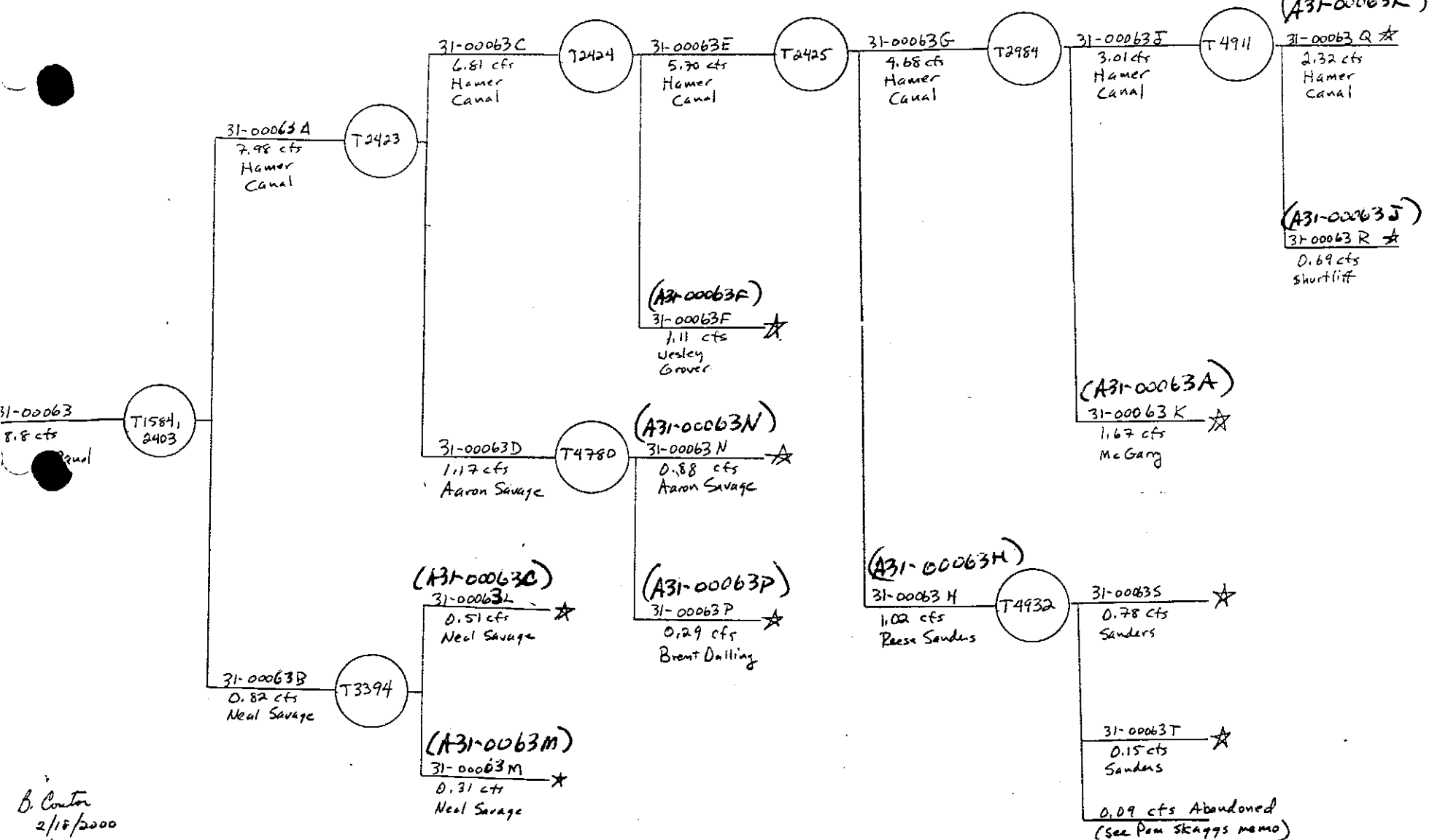
Note that Hamer Elementary School has an irrigation well that may also reflect part of the original Hamer Canal Co. right. See file A31-10292.

Split History of 31-00063 - WR Side



B. Contor
2/18/2000

Split History of 31-00063 - WR Side



B. Coster
2/18/2000

Claims based on 31-00063

A31-00063 A

Mc Gany

1.67 of s

285 acres

appears to correspond to
31-00063 K 1.67 of s, 285 acres,
no apparent enlargement

A31-00063 B

Renumbered

renumbered to A31-00063 M

A31-00063 C

Neal Savage

0.51 of s

48 acres

appears to correspond to
31-00063 L, 0.51 of s, 100 acres

A31-00063 D

split right

split into 63 N and 63 P by transfer

A31-00063 F

Wory Peterson

1.11 of s

160 acres

appears to correspond to 31-00063 F
1.11 of s, 190 acres

A31-00063 H

Reese Sanders

1.02 of s

155 acres

appears to correspond to 31-00063 H
1.02 of s,

Subsequently split by T 4932

» «

Claims based on 31-00063

(2)

A31-00063J
Rene Shortliff

0.69 cfs
129.2 acres

appears to be based on
31-00063R, 0.69 cfs,
129.2 acres

A31-00063K
Dan & Steve Murdock

3.16 cfs
159 acres

appears to be based on
part of 31-00063Q,
2.32 cfs, 1391 acres
overclaimed

A31-00063L
Dan & Steve Murdock

0.66 cfs
112 acres

appears to be based on
part of 31-00063Q,
overclaimed

A31-00063M
Neal Savage

0.31 cfs
60 acres

appears to be based on
31-00063M, 0.31 cfs, 60 acres

A31-00063N
Aaron Savage

0.88 cfs
150 acres

appears to be based
on 31-00063N, 0.88 cfs,
150 acres

A31-00063P
Brent Dalling

0.29 cfs
50 acres

appears to be based on
31-00063P, 0.29 cfs,
50 acres

Claims Based on 31-00063

(13)

A31-00063 Q 0.23 of S
Brent Dalling 39 acres

appears to be based on
part of 31-00063 Q.
right overclaimed.

A31-00063 S 1.41 of S
Boyd Ashcraft 407 acs PPU

appears to be based on
part of 31-00063 Q.
right overclaimed.

WR5747NP

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NUMBER INDEXDATE: 03/28/97
PAGE: 1WATER RIGHT
NUMBER

NAME

CFS

31-00063

SPLIT INTO 31-00063A & 31-00063B BY TRANS. 2403.

31-00063A

SPLIT INTO 31-00063C & 31-00063D BY TRANS. 2423.

31-00063B

Split into 31-00063L & M by Trans. 3394.

31-00063C

SPLIT INTO 31-00063E & 31-00063F BY TRANS 2424.

31-00063D

THIS RIGHT SPLIT INTO PARTS N & P THRU APPROVED TRANSFER NO. 4780

31-00063E

SPLIT INTO 31-00063G & 31-00063H BY TRANS. 2425.

31-00063F

GROVER, WESLEY

1.11

31-00063G

RIGHT SPLIT INTO 31-00063J & K.

31-00063H

RIGHT SPLIT INTO PARTS S & T THRU APPROVED TRANSFER NO. 4932.

31-00063J

RIGHT SPLIT INTO PARTS Q & R THRU APPROVED TRANSFER NO. 4911.

31-00063K

LOREN MCGARRY RANCHES

1.67

31-00063L

SAVAGE, NEAL

0.51

31-00063M

SAVAGE, NEAL

0.31

31-00063N

SAVAGE, AARON

0.88

31-00063P

DALLING, BRENT

0.29

31-00063Q

HAMER CANAL CO

2.32

31-00063R

SHURLIFF, RENE
SHURLIFF, LELLA

0.69

31-00063S

SANDERS, REESE

0.78

31-00063T

SANDERS, REESE

0.15

WR database agrees w/ this analysis
8/18/2000E WRS = 8.971 cfs,
Original decree 8.80
See Ben Skaggs memoSTATE OF IDAHO
DATE: 2/18/2000
COUNTY: BlaineA31-00063 splits
Blaine sheet 2
B. Center

MEMORANDUM

TO: FILE NOS. 31-00062H & 31-00063H

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: TRANSFER NO. 4932

DATE: March 17, 1997

Transfer No. 4932 changes the point of diversion and place under a portion of Right Nos. 31-00062H and 31-00063H, splitting each right into parts S and T. The transfer is the result of installation of center pivots and reconfiguring the irrigated acres.

These rights have historically provided slightly more than an 0.02 cfs/acre ; $3.48 \text{ cfs} / 155.0 \text{ acres} = 0.022 \text{ cfs/acre}$. The maximum standard rate of diversion approvable for this piped system would be 0.02 cfs/acre or 0.74 cfs. A portion of the junior right is identified as abandoned through approval of this transfer.

Right No. 31-00062T = 0.59 cfs/37 acres

Right No. 31-00063T = $\frac{0.24 \text{ cfs}}{0.83 \text{ cfs/37 acres}}$

$0.02 \times 37 \text{ acres} = 0.74 \text{ cfs}$

$0.74 \text{ cfs} - 0.59 \text{ cfs} = 0.15 \text{ cfs}$ & 0.09 cfs abandoned 31-00063T.

Season of use and diversion volume were adjusted to current standards. Drilling Permit No. 31-96-E-0027-00 has been filed by the applicant to drill the well associated with this transfer.

Recommended conditions include irrigation overlap, combined right limits, measuring device/annual reporting, abandoned portion and standard transfer conditions.

 Claim A2-00062/63 splits
 Doc Source M. White
 31-00062 Sheet 7
 Date 2/18/00 Sig. B. Conlon

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	Hamer Canal Co.	8.8		31-0063
2534	Hamer Canal Co.	8.8		31-0063
2493	Savage, Nest	0.02		31-0063 B
	Hamer Canal Co.	7.98		31-0063 A
2423	Savage, Aaron	1.77		31-0063 D
	Hamer Canal Co.	6.81		31-0063 E
2424	Grover, Wesley	1.11	A31-0063 F	31-0063 F
	Hamer Canal Co.	5.70		31-0063 E
2425	Sanders, Pense	1.02	A31-0063 H	31-0063 M
	Hamer Canal Co.	4.68		31-0063 K
3029	Savage, Aaron	1.17	A31-0063 D	31-0063 J
2584	Loren McCarry Ranches	1.67	A31-0063 A	31-0063 K
	Hamer Canal Co.	3.01		31-0063 J

3354

Savage, Nest

0.31

A31-0063 C

31-0063 E

NOTE: FILLING IS FOUR 0.51 CFS

A31-0063 J (3.44 CFS)

A31-0063 K (3.11 CFS)

A31-0063 L (0.66 CFS)

Claim A31-00062/63 Splits
Doc Source Mewhite
31-0062 gws 7
Date 3/16/00 Sig. B Center

31-00063 J

MICROFILMED

NOV 17 1992

AJ5800HP
(00-26)

Water Right

*** C - CUR
SHURTLIFF

SHURTLIFF

*** Prior
05/0

*** Total

*** Total

*** Total

*** Total

*** Total

*** Total

*** Total

*** Total

MEMO

RECEIVED

FROM: H.W. JONES
TO: PAM SKAGGS
RE: TRANSFER 4911

DEC 18 1966

Department of Water Resources

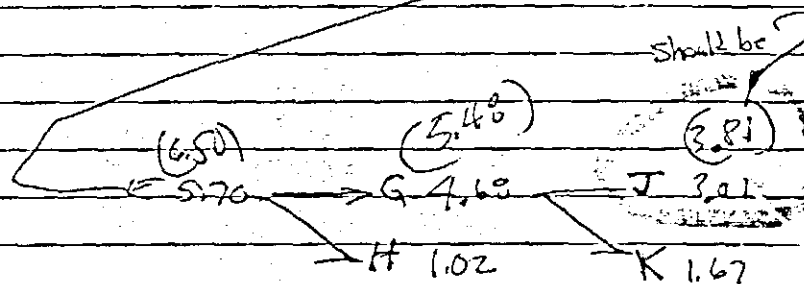
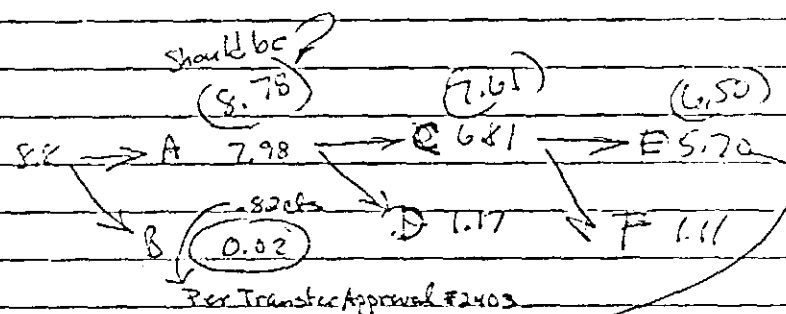
We have reviewed this transfer which is another that spins off the Hamer Canal rights. When the canal disbanded a variety of people had shares and they bought or sold some of these.

Mr. Shurtliff has shown us certificates and receipts which indicate to us he has 23 shares. The shares imply 5 miners inches per share or 2.30 cfs. We split this cfs on a 70% - 30% ratio as used on transfer 2524.

Also, please see the note and drawing about the past splits of 31-00063 and particularly 31-00063J.

Claim 31-00063/63 5/1/78
Doc Source Minors file
31-00062 sheet 7
Date 2/18/80 Sig. H. Condon

31-00063 Split f correction



It appears 31-00063 J should be 3.81 cfs rather than 3.01 cfs.

gld & KCW
11-18-96

Claim A3-00062/63 Splits
Doc Source Microfilm
31-00063 sheet 7
Date 2/18/00 Sig. In Center

MEMORANDUM

TO: FILE NOS. 31-00062D & 31-00063D

FROM: PAM SKAGGS/²⁸STATE OFFICE

SUBJECT: TRANSFER NO. 4780

DATE: May 30, 1996

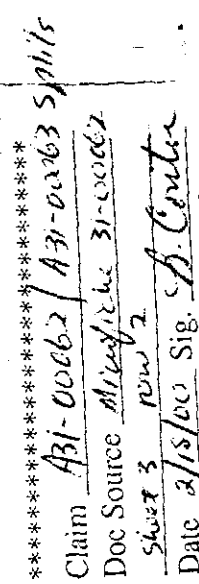
Transfer No. 4780 was filed to change the point of diversion under a portion of Right Nos. 31-00062D and 31-00063D, splitting each right into parts N and P.

The transfer splits the rights into two separate systems divided by the highway and separately owned. Ownership of the acres under this transfer were confirmed by the Jefferson County Assessor's office.

The season of use and diversion volume were adjusted to current standards. Right No. 31-00063P is limited by diversion volume. The watermaster of Water District No. 31 approved this transfer while acknowledging that this right has not been administered by the watermaster since being transferred to private ownership from Hamer Canal Co.

Recommended conditions include combined limits, watermaster control, irrigation overlap, right-of-way and standard transfer conditions.

* Claim 431-00062/63 Splits
* Doc Source Microfilm
* 31-00062/63 Swt 7
* Date 2/10/96 Sig. B. Coulter



* Maintain as part of application Record

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	Hamer Canal Co.	8.8		31-0063
~~1584~~	~~Hamer Canal Co.~~	~~8.8~~		~~31-0063~~
2403	Savage, Neal	0.82		31-0063 B
	Hamer Canal Co.	7.58		31-0063 A
~~2423~~	~~Savage, Aaron~~	~~1.17~~		~~31-0063 D~~
	Hamer Canal Co.	6.61		31-0063 C
2424	Grover, Wesley	1.11		31-0063 F
	Hamer Canal Co.	5.70		31-0063 E
2425	Sanders, Reese	1.02		31-0063H
	Hamer Canal Co.	4.68		31-0063G
3029	Savage, Aaron	1.17		31-0063D
2984	Loren McGarry Ranches	1.67		31-0063K
	Hamer Canal Co.	3.01		31-0063J

A31-00063 splits
 DATE: 2/18/00
 BY: [signature]
 CHECKED BY: [signature]
 SIGNATURE: [signature]

A
 N

WR5809NP
No. 31-00063K

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/18/00
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LOREN MCGARRY RANCHES 2393 E. 1900 N. HAMER ID 83425 (208) 662-5227	05/01/1928	IRRIGATION	05/01 09/01	1.670 CFS	
TOTAL DIVERSION:					1.670 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T07N R36E S27 S33 SWSW NWSE
JEFFERSON County
JEFFERSON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
06N	36E	4	:	03				:					:					:					:	3.0
07N	36E	27	:					:					:			35		:					:	35.0
07N	36E	28	:					:					:					:				15	:	15.0
07N	36E	33	:	31	16	18	40	:					:					:	38	18	15	40	:	216.0
07N	36E	34	:					:					:			16		:					:	16.0
TOTAL ACRES																							285.0	

Pou County: JEFFERSON

Conditions of Approval:

- T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remarks: GEN TRANS. 1584, 2403, 2423, 2424 & 2425.
7 P/D IN NWSW 14, 2 P/D IN NESW & 4 P/D IN NWSE, S14, T7N, R36E.
Transfer No. 2984 split 31-00063G into parts J & K and updated place of use/irrigated acreage owned by McGarry Ranches.

Dates: App. Received: Priority Date: 05/01/1928
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 31 Field Exam Fee:

Audit: 05/23/91 MILLER

*no apparent
enlargement*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF COMPLETED TRANSFER

RECEIVED

AUG 20 1993

Department of Water Resources
Eastern District Office

The Idaho Department of Water Resources will consider this form as a statement regarding completion of the authorized water right(s) transfer.

1. Water Right No(s). 31-00062K & 31-00063K

Transfer No. 3808

2. Name of Water Right Holder(s): Loren McGarry Ranches

Address: 2393 E. 1900 N., Hamer, Id 83425

3. Water right transfer authorized by Department is:
(check appropriate space or provide description)

Complete _____

Not Complete X

Partially complete (describe work completed): Applicants have plowed in the ditches and tried to run down a well driller and tried to complete the financial arrangements.

4. If the transfer has not yet been completed or is only partially complete, please provide a statement why the authorized change(s) have not been accomplished and the date which you expect the changes to be complete: The financial arrangements involved a land swap and requires extra time dealing with other individuals. Also Loren McGarry the president of Loren McGarry Ranches died which caused the Ranch to go into Probate which took extra time. Also had problems with obtaining a well driller. Expected date of completion 1 July 1994.

5. I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in Department action rescinding the approved water right(s) transfer.

Loren McGarry Manager
Signature

8/20/93
Date

(& title if on behalf of a company or organization)



RONALD D. CARLSON
HYDROGRAPHER

STATE OF IDAHO
NORTHERN WATER MEASUREMENT DISTRICT
900 N. SKYLINE DR., SUITE A
IDAHO FALLS, ID 83402
(208) 525-7171 FAX (208) 525-7177

IDWR DIRECTOR
KARL J. DREHER

August 2, 1997

TREASURER
DEL RAYBOULD

Loren McGarry Ranches
HC 69 Box 1070
Hamer, Idaho 83425

ADVISORY COMMITTEE

Re: A31-00062A
A31-00063A

KIRK JACOBS
CHAIRMAN

Dear Mr. McGarry:

DALE COPE
MONTEVIEW

Last week Mr. Brent Dalling helped me measure the irrigation wells he leases from you. I appreciate his courteous help.

DAREN BITTER
TERRETON

For some reason the location of one of the wells on the adjudication claims is different from what I found in the field.

CARL BALL
HAMER

DON PARKER
REXBURG

Claims A31-00062A and A31-00063A show two wells, one in section 22 and one in section 33 of township seven north, range 36 east. Copies of "proof reports" of your water rights are enclosed. I've also enclosed a copy of a summary I sent to Brent on the measurements we did.

LYNN WOOD
MONTEVIEW

I measured a well in section 33, and also one in section 27 (not 22). Perhaps it is a typographical error, or perhaps at some time the location of the well was changed and the claims fail to show that. Please contact Idaho Department of Water Resources at 525-7171 to get these records corrected.

NICK HILLMAN
HAMER

JERRY PANCHERI
HOWE

AARON SAVAGE
HAMER

The IDWR officer who helps you can find my measurement report and the aerial photos you sent in the North Water Measurement District files under "McGarry, Loren Ranches, Site Tag A0001898."

Please call me at 663-4854 or 528-2628 if you have questions. I will be on vacation from August 8 through August 18.

Sincerely,

BAC
Bryce A. Contor
Assistant Hydrographer

~~enclosures~~

cc: Ernie Carlsen
IDWR, Adjudication

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	Hamer Canal Co.	8.8		31-0063
1584	Hamer Canal Co.	8.8		31-0063
2403	Savage, Neal	0.02		31-0063 B
	Hamer Canal Co.	7.98		31-0063 A
2423	Savage, Aaron	1.17		31-0063 B
	Hamer Canal Co.	6.81		31-0063 C
2424	Grover, Wesley	1.11	A31-0063 F	31-0063 F
	Hamer Canal Co.	5.70		31-0063 E
2425	Sanders, Pense	1.02	A31-0063 H	31-0063 H
	Hamer Canal Co.	4.68		31-0063 G
3029	Savage, Aaron	1.17	A31-0063 D	31-0063 D
2984	Loren McGarry Ranches	1.67	A31-0063 A	31-0063 K
	Hamer Canal Co.	3.01		31-0063 J

3394

SAVAGE, NEAL

~~0.82~~
0.31

A31-0063 C

31-0063 B

NOTE: FILING IS FOR 0.51 cfs

A31-0063 J (3.44 cfs)

A31-0063 K (3.16 cfs) →

A31-0063 L (0.66 cfs)
A

R

T

MICROFILMED

NOV 17 1992

Transfer No^s

3808

JUN 5 1991

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Department of Water Resources

Eastern District Office

Eastern District Office
Name of applicant Loren McGARRY RANCHES

Phone 662-5227

Post Office address 2393 E. 1900 N, Harmer, Id. 83425

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes REDUCE water loss in ditch from well within SESE Sec 28, T7N, R36E. Also easier to irrigate under system

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
31-00062K	31 Oct 1917	4.03	Irrigation	5/1 to 9/1
31-00063K	1 May 1928	1.67	Irrigation	5/1 to 9/1
				to
				to

2. Total amount of water being transferred 5.70 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water GROUNDWATER tributary to _____

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

[illegible]

PART 1

6. General Information:

- a. Description of diversion system Two wells with mainline to laterals with sprinklers
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ☒ Yes ☐ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
NONE Place of Use remains the same
- d. Remarks:
Applicant plans to abandon his use (shaver) in well in SESE Sec 28, T7N, R36E and abandon ditch to reduce loss of water.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 31-00062K & 31-00063K

And said application is hereby APPROVED, subject to the following limitations and conditions:

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Adjudication.

Witness my hand this

23rd day of

May

19 91

A. Glen Saxton
Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. 31-00062K Decreed to ~~changed 5074 to 6, DAIN BASE does not include portion of right of 5074-7.~~

in case of _____ vs. _____

dated _____ in _____ county of _____

b. License No. _____ issued by the Idaho Department of Water Resources.

c. Claim No. _____ on file with the Idaho Department of Water Resources.

d. Transfer No. 2984 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☐ Warranty Deed☐ Other _____3. Source of water GROUNDWATER tributary to _____4. Date or priority 31 Oct 1917

5. Water is used for the following purpose:

amount 4.03 cfs for Irrigation purposes from 5/1 to 9/1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 4.03 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SE	28	7N	36E	Jefferson	
		SE	SE	22	7N	36E	"	
		NW	SE	33	7N	36E	"	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
6N	36E	4	3																3
7N	36E	27											35						35
		28															15		15
		33	31	16	18	40								38	18	15	40		216
		34											16						16

Total acres 2859. Describe any other water rights used for the same purpose as described above 31-7270, 31-00063K6

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. 31-00063K Decreed to Recorded right is 31-00063G, there is no partition of K 50 ft 7 in Dk

in case of _____ vs. _____

dated _____ in _____ county of _____

b. License No. _____ issued by the Idaho Department of Water Resources.

c. Claim No. _____ on file with the Idaho Department of Water Resources.

d. Transfer No. 2984 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 1 May 1928

5. Water is used for the following purpose:

amount 1.67 cfs for Irrigation purposes from 5/1 to 9/1

(cfs/ac-ft) _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft) _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft) _____ for _____ purposes from _____ to _____

6. Total amount of water under right 1.67 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SE	28	7N	36E	Jefferson	
		SE	SE	22	7N	36E	"	
		NW	SE	33	7N	36E	"	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6N	36E	4	3																3
7N	36E	27											35						35
		28															15		15
		33	31	16	18	40								38	18	15	40		216
		34											16						16

Total acres 285

9. Describe any other water rights used for the same purpose as described above 31-7270, 31-00062K6

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

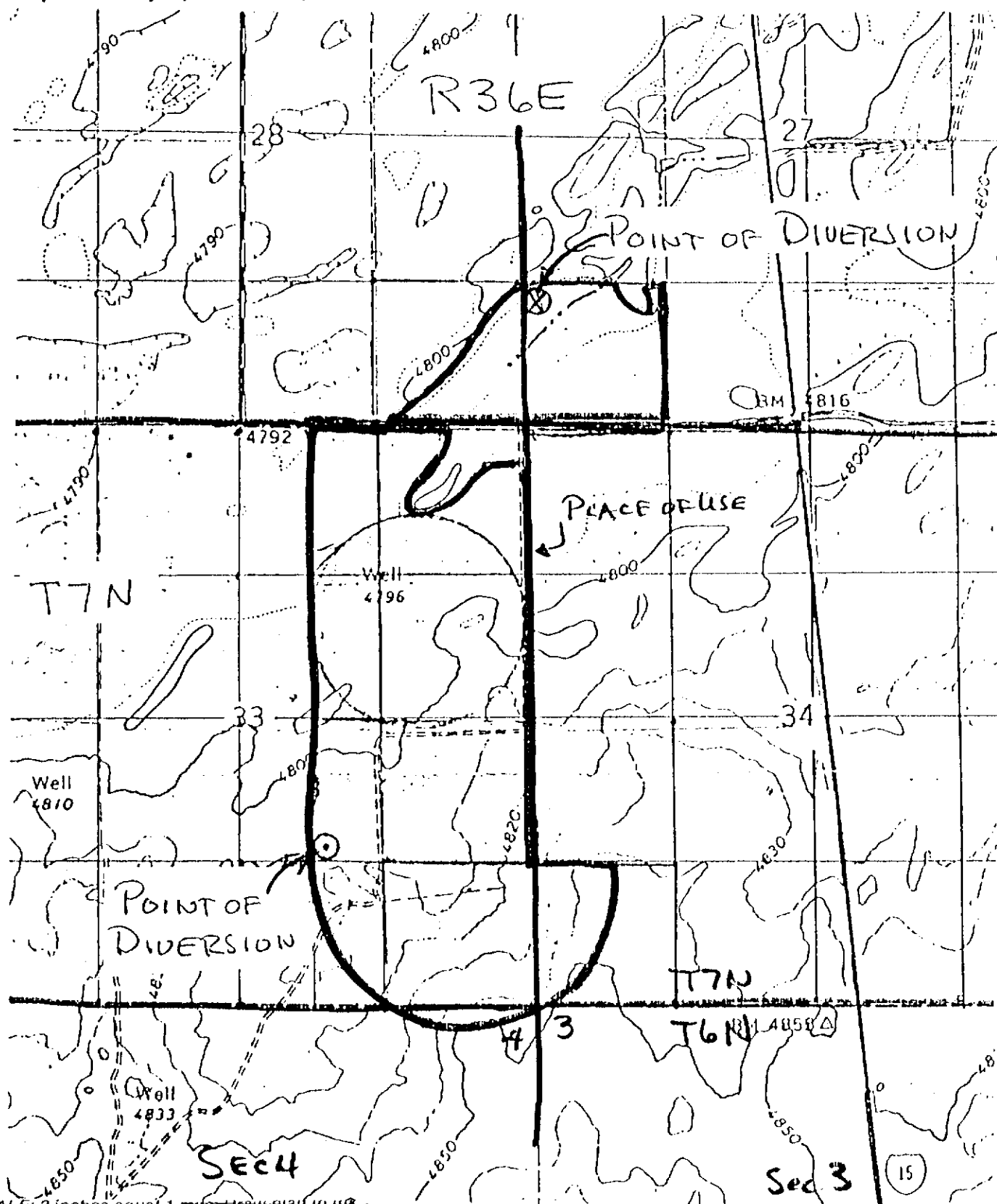
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 18th day of January, 19 91

Loren McVerry (Pia)
(Signature of Applicant)

Dallen Wray
(Notary Public)

My commission expires 5/29/1991

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

ASSISTED BY KCW Received by KCW Date 18 Jan 1991 Protest filed by _____

Prelim. check by _____ Fee 50⁰⁰ #E015609

Receipted by KCW Date 18 Jan 1991

Published in Jefferson Star Copies of protest forwarded by _____

Pub. dates 2-21 & 28-91 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by RDC

Copy of transfer sent to lien holder _____ TJH 5-17-91



United States
Department of
Agriculture

Farmers
Home
Administration

1120 Lincoln Road
P.O. Box 1783
Idaho Falls, Idaho 83401

RECEIVED

JAN 24 1991

Department of Water Resources
Eastern District Office

• TO WHOM IT MAY CONCERN:

• January 22, 1991

- Farmers Home Administration agrees to the proposed changes as described in the "APPLICATION FOR TRANSFER OF WATER RIGHT" per part B-6-b

Signed: _____

County Supervisor

STATE OF IDAHO

County of Bonneville

On this 22nd day of January 1991, before me, the subscriber, a Notary Public, in and for the above county and State, appeared

C. Boyd Wiese, known to me to be County Supervisor, Farmers Home Administration United States Department of Agriculture, and the person who executed the foregoing instrument, and he acknowledged to me that he executed the same as the free act and deed of the United States of America, for the uses and purposes mentioned in it.

My commission expires on 10-13-93

Ancita J. Weeks

Ancita J. Weeks, Notary Public



Farmers Home Administration is an Equal Opportunity Lender
Complaints of discrimination should be sent to
Secretary of Agriculture, Washington, D.C. 20250